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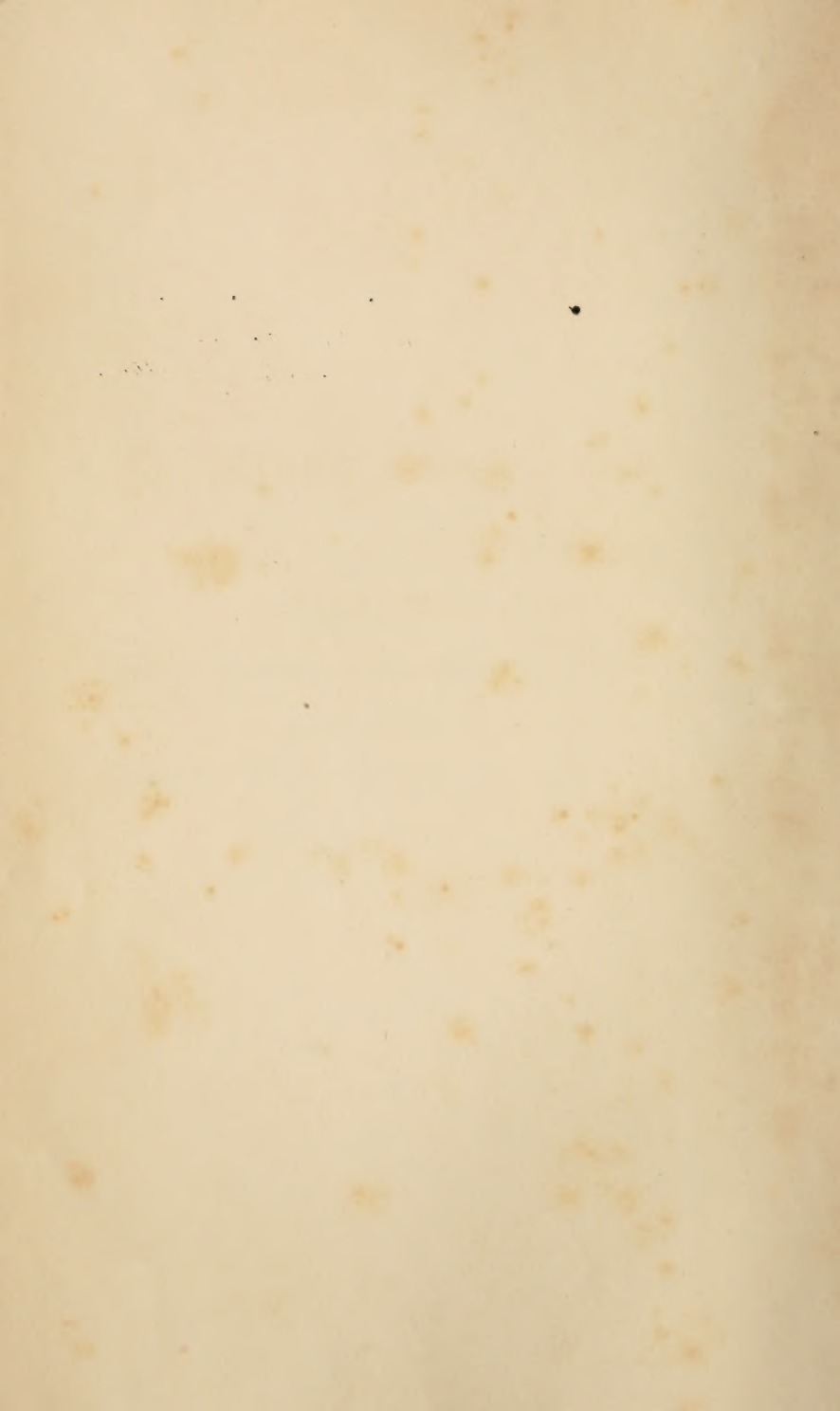
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The law of Christ respecting
civil obedience





The Rev. Mr. Miller, Princeton,
With kind regards
From the Author.

THE LAW OF CHRIST

RESPECTING

CIVIL OBEDIENCE,

&c.

“ Nothing can contribute more to the stability of a state than a clear and comprehensive view of the relation, which subsists, between the people and those whom they have appointed for their governors.”—BISHOP WATSON.

“ As to government, we must observe three things therein, very distinguishable : THE CONSTITUTION OF POWER IN GENERAL, must be severed from THE LIMITATION OF IT TO THIS OR THAT FORM ; and the form also must be severed from THE DESIGNATION OF IT TO THIS OR THAT PERSON.”—JUS POPULI.

“ Though I have learned to obey as far as lawfully I may, my judgment is exceeding far from being enslaved ; and according to that, by God’s assistance, shall be my practice ; which, if it run counter to the prescriptions of authority, shall cheerfully submit to the censures thereof.”—OWEN.

THE LAW OF CHRIST
RESPECTING CIVIL OBEDIENCE,
ESPECIALLY
IN THE PAYMENT OF TRIBUTE ;

WITH AN APPENDIX OF DOCUMENTS AND NOTES :

TO WHICH ARE ADDED
TWO ADDRESSES ON THE VOLUNTARY
CHURCH CONTROVERSY.

✓
BY JOHN BROWN, D.D.,

MINISTER OF THE UNITED ASSOCIATE CONGREGATION, BROUGHTON PLACE, EDINBURGH ;
AND PROFESSOR OF EXEGETICAL THEOLOGY TO THE UNITED SECESSION CHURCH.

ΑΠΟΔΟΤΕ ΤΑ ΚΑΙΣΑΡΟΣ ΚΑΙΣΑΡΙ ΚΑΙ ΤΑ ΤΟΥ ΘΕΟΥ ΤΩ ΘΕΩ.—Ο ΚΥΡΙΟΣ.

THIRD EDITION,
IMPROVED AND ENLARGED.

LONDON:—WILLIAM BALL,
ALDINE CHAMBERS, PATERNOSTER ROW.

MDCCCXXXIX.

18 30

W. OLIPHANT, JUN. & CO. PRINTERS, 23, SOUTH BRIDGE STREET, EDINBURGH.

TO THE

ELDERS, MANAGERS, AND MEMBERS

OF THE

UNITED ASSOCIATE CONGREGATION OF BROUGHTON PLACE,
EDINBURGH,

TO WHOSE SPIRITUAL IMPROVEMENT

THE AUTHOR FEELS IT HIS HIGH PRIVILEGE,

AS HE COUNTS IT HIS FIRST PUBLIC DUTY,

TO DEVOTE HIS TIME AND TALENTS AND ACTIVE EXERTIONS,

THE FOLLOWING EXPOSITION

OF AN IMPORTANT AND ILL UNDERSTOOD PORTION OF OUR LORD'S LAW,

IS AFFECTIONATELY AND RESPECTFULLY INSCRIBED.

PREFACE.

THE circumstances which rendered the composition, and publication, first from the pulpit, and then from the press, of the following Exposition, less a matter of choice than of necessity, are notorious in this city, and are fully detailed in the appended documents. It is enough, to say here, that an accusation of having violated the law of Christ, contained in the subject of the Exposition, and of having endeavoured to cloak that violation by a corrupt misinterpretation of the law itself,—an accusation publicly made, not anonymously, but by an individual, who, for more than forty years, has figured, more or less prominently, in the religious history of Scotland, who is understood to possess considerable influence over one portion of public opinion, and whose age and rank in life seemed to forbid the supposition of hot-headed rashness or vulgar exaggeration, in any charge he might think it his duty to bring forward, was, with unprecedented activity, circulated throughout the city, copies of it having been handed to almost every

family, and even widely dispersed, over remote parts of the country.

In these circumstances I felt constrained, in justice to the ministry with which I have been intrusted, and to the truth which I conceived to be misrepresented, to make, as public as possible, my real views of an important passage of Scripture, which, according to my accuser, I had not only misinterpreted, but my misinterpretation of which, I had also embodied in a course of conduct, equally inconsistent with the honour due to the divine law, and the regard due to the public peace. The Exposition was delivered from the pulpit in two lectures, on the evenings of the third Sabbaths in December, 1837, and January, 1838, and immediately afterwards sent from the press.

Looking back on the very remarkable manner in which I have been compelled to publish my views of the various topics discussed in this Exposition, I cannot help perceiving that I have been “led by a way that I knew not, and in a path that I had not known;” and cherishing the hope that this statement of the truth, on an important, and but imperfectly understood portion of the law of Christ, may, by His blessing, be productive of some salutary results.

So far as I am personally concerned, I send these illustrations of Scripture into the world, with the undoubted assurance that their perusal must convince every unprejudiced judge that the calumnious charge

brought against me is unfounded. But my own vindication is a matter of comparatively light importance. I trust something has been done to show, that neither the doctrine nor the law of Christ has any affinity to slavish principles;* and that it is equal-

* "I shall always lament the indiscretion of ecclesiastics" (it is to be regretted equally in the case of Christian laymen) "when they contend for opinions, which, in their legitimate and practical consequences, lead to the extravagance of Rousseau, where he tells us that 'Le Christianisme, ne prêche qui servitude et dépendance. Son esprit est trop favorable à la Tyrannie pour qu'elle n'en profite pas toujours. Les vrais Chrétiens sont faits pour être Esclaves.'—*Lettre à M. de Beaumont*, p. 198. Anxious for the honour of my religion, for the comfort and instruction of my fellow Christians, and for the happiness of my fellow subjects, I shall always declare, in the words of an eloquent prelate, 'That grandeur and elevation of mind, that sublimity of sentiment, that conscious dignity of our nature, redeemed at so high a price, which true religion keeps alive; which Holy Scripture dictates; and which the Spirit of the Lord inspires, will ever be pushing us on to the attainment and preservation of those civil rights, which we have been taught by reason to know are ours, and which we have been made to feel by experience, are of all others the most indispensable to human happiness.'—*Warburton's Alliance*, p. 258." Dr PARR. *Characters of the late Charles James Fox, by Philopatris Varvicensis*, vol. ii. p. 732. Lond. 1809.

It is a curious fact, that during the agitation in this city, produced by the incidents which led to this publication, a vender of infidel books, of the worst kind, proclaimed in a placard, that my assailant was a just expositor of the Christian doctrine on Civil Obedience; that all my jesuitical attempts to give a different gloss to it were unsuccessful; and that Christianity being opposed to truth and liberty, must be false and mischievous. It seemed strange and portentous, to see one of the oldest and staunchest dissenters in the land, rushing to the rescue of the compulsory system of supporting Christian institutions, and to hear an inveterate hater of Christianity uttering screams of delight, at the unnatural act, in which, while others saw only what appeared less like the display of principled zeal than of personal rancour against a brother, who merely sought, in the most

ly the dictate of revealed truth, sound reason, and enlightened policy, that, of all things, religion should be the most free—"Res," as Lactantius has it, "præter ceteras voluntaria." "Humani juris et naturalis potestatis est unicuique quod putaverit colere: nec alii obest aut prodest alterius religio. Sed nec religionis est, cogere religionem, quæ sponte suscipi debeat, non vi."* It is more than sixteen hundred years since these words of truth and soberness were spoken by Tertullian. Alas! that, amid all the light of the nineteenth century, they should be, obviously, so imperfectly understood, believed, and exemplified!

From the, necessarily, very limited time in which, amid the numerous and laborious avocations connected with the pastoral care of a large congregation, the following Exposition was prepared, it is far from being what, for the sake of the cause, fully as much as for my own sake, I should wish; but I have "done what I could," and I rejoice to know that my Master accepts a man, "not according to what he hath not, but according to what he hath."

effectual way, to protest against the indignity offered to his religion, by making it the subject of state support, and to keep himself free of the sin and shame of participating in the insult, the shrewd Atheist rejoiced to see what he accounted a deadly wound inflicted on Christianity, by the hand of "an old Disciple."

* "It belongeth of right unto mankind, that every one may worship as he thinketh best: nor does the religion of any man harm or help another. Neither indeed is it the business of religion to compel religion, which ought to be taken up willingly, and not against the will."—*The Address of Q. S. Tertullian to Scapula Tertullus, President of Africa. Translated by Sir David Dalrymple, p. 3. Edin. 1790.*

In preparing two or three of the notes, I have availed myself of the kind assistance of some learned and ingenious friends, to whom I feel much indebted; and fully persuaded that had my obligations to them been more frequent and more extensive, my readers would have had cause to be better pleased, it would have been a relief to my mind, as well as a recommendation to my work, had I been warranted to make a more specific acknowledgment.*

* To enable my readers to judge how much they would have gained, had the assistance referred to been more frequent and more extensive, I think it right to state, that the ingenious, and learned, and conclusive argument respecting the meaning of an important passage in Tertullian's "Apologeticus," in Note XXVIII., and the masterly historical statement and argument, respecting the Annuity Tax, forming the first part of Note XXXII., are the contributions so gratefully acknowledged.

53, ALBANY STREET, *January 22, 1838.*

PREFACE

TO

THE THIRD EDITION.

It has long been generally felt, that wide as is the range, and rich as are the treasures of our expository and moral literature, a satisfactory interpretation of the law of Civil Obedience, as published by the Apostle Paul in the thirteenth chapter of the Epistle to the Romans, and a clear discriminative statement and enforcement of the duties required by that law, were still wanting. To supply in some measure these *desiderata* in scriptural exegesis, and Christian ethics, is the object of the principal treatise in the following Volume. How far that object has been gained, it is left with the competent tribunal to decide.

In the present Edition, that Treatise appears, it is hoped, in a somewhat improved form, having been enlarged by the insertion of a few paragraphs, and having undergone that careful revision, which its hurried composition and publication rendered so necessary, but which the short space intervening between the first and second edition afforded no opportunity of giving it. Two Addresses on the Voluntary

Church Question, formerly published in another shape, have been appended, and considerable additions have been made to the Notes and Illustrations.

To some, these may appear to have been sufficiently voluminous, in the former editions; but, for the number and length of the *selected* notes, which compose a large proportion of the whole, I cannot bring myself to offer an apology; for, without subjecting myself to any hazard of the charge of affected self-depreciation, I may plainly say, what I well know, that they form by far the most valuable part of the book. They often furnish the evidence of statements made in the text, and at other times present, *in extenso*, arguments and illustrations, which are there only hinted at, or given in the most condensed form. Many of them will have the charm of novelty to most of my readers, and I shall be glad, if they prove the means of inducing any of them to cultivate a more intimate acquaintance with works, lying somewhat out of the ordinary track of reading, from which (“*Haud inexpertus loquor*,”) they may derive much pleasure, and some improvement.*

* “I have been under the necessity, at least, as I thought, of appealing for illustration to writers of all ages and in various languages. There is an appearance of ostentation in it, to which I must submit. I certainly am of opinion, with Casaubon, that it cannot be supposed ‘*facere aliquid ad veram pietatem aut doctrinam, Græca potius quam alia lingua loqui.*’—*Exercit. xvi. ad Ann. Ecc. Baronii.* Certainly not. But to enforce and illustrate any position, the language of poets, and the dignity and spirit of ancient eloquence and history, in the original

It is satisfactory to perceive that the defenders of the Voluntary principle, as the basis both of the maintenance and of the extension of religion, uphold no sentiment which has not been clearly stated and strongly proved by some of the wisest and best men of former ages, and that they are but performing their part in the obsequies of martyred truth, by laying in decent order some of her “disjecta membra,” which her “sad friends” in “the olden times” have succeeded in collecting. Our task is full of Hope—for we know that when all the parts of the torn body of truth are “fitly joined together and compacted by that which every joint supplieth,” “the spirit of life in Christ Jesus,” will soon reanimate the restored frame:—The wonders of the primitive age will be renewed: MAGNA ERIT VERITAS ET PREVALEBIT.*

words, are of no mean assistance.”—*Mathias' Pursuits of Literature*. Intro. Letter, pp. 25, 26. Lond. 1799.

* The passage in Milton's “*Areopagitica*,” to which there is an allusion here, is at once so beautiful and so instructive, that I give it at length. “Truth indeed came once into the world with her Divine Master; and was a perfect shape most glorious to look on; but when he ascended, and his apostles after him were laid asleep, there strait arose a wicked race of deceivers, who, as the story goes of the Egyptian Typhon, with his conspirators, how they dealt with the good Osiris, took the virgin Truth, hewed her lovely form into a thousand pieces, and scattered them to the four winds. From that time the sad friends of Truth, such as durst appear, imitating the careful search which Isis made for the mangled body of Osiris, went up and down, gathering up limb by limb, still as they could find them. We have not yet found them all, Lords and Commons, nor ever shall do, till her Master's second coming: He shall bring together every joint and member, and shall mould them into an immortal feature of loveliness

It has not been deemed necessary to notice particularly any of the numerous replies* with which the Treatise has been honoured. I reckoned it a point of duty to read and consider them all, a duty which, though from the matter and manner of these replies, somewhat laborious and irksome, has, I trust, been not only of some use to myself, but of some advantage to my work. The result of this consideration is a conviction, that with a single exception, they do not deserve, and without any exception, they do not require, an answer. In none of them is the argument respecting the payment of tribute fairly met—and

and perfection. Suffer not these licensing prohibitions, to stand at every place of opportunity forbidding and disturbing them that continue to do our obsequies to the torn body of our martyred saint.”—*Milton's Works* vol. i. p. 156. Fol. Lond. 1758.

* In the course I have pursued, I have acted according to the following most judicious advice, which is as appropriate as if it had been meant for my special guidance:—“A writer publishes his sentiments on a controverted point in politics or theology, and supports them by the best arguments in his power. A hot-headed champion rises on the opposite side, who in print styles his notions impious or seditious, his arguments trivial and absurd, insults his person, vilifies his sense and learning, and imputes to him the worst motives. What matter is there in all this for an answer? The writer does not mean to disavow his opinions, because an opponent thinks ill of them. His arguments are not refuted by the abuse of one who, perhaps from incapacity or ignorance, is utterly unable to comprehend them. Of his sense and learning he has constituted the public his judges by the act of publication, and to their judgment at large he appeals. His motives can only be known to his own heart; and asserting them to be good, will no more convince his enemies, than the contrary assertion has convinced his friends. If, therefore, he has obtained from nature to exercise a due command of temper, he will preserve a dignified silence, till an attack of some other kind summons him to the

whether that argument is unanswerable or not, it certainly yet remains unanswered.

The only two plausible objections which have been brought against the doctrine of the Treatise are, that tribute is of the nature of debt, and therefore ought in all circumstances to be paid, and that the reason for not paying a tax exacted avowedly, for a special object, which is accounted sinful by him who is required to pay it, equally holds in reference to the payment of taxes for the general purposes of government, when it is known that a portion of the revenue thus collected is appropriated to an immoral use.*

In reference to the first of these statements, it is enough to remark, that, it is a mere play upon words, and, essentially, a begging of the question.—Debt is

field. Now this other kind must be characterized by one of these two circumstances,—the production of new and forcible arguments against him, or a misrepresentation in matter of fact, of a nature materially to injure his character.”—Nothing bearing the first of these characters has appeared. I regret I cannot say so of the second class of attacks.—“No attack on moral character,” continues my shrewd adviser, “is to be slighted. Though proceeding from the most infamous and despicable of mankind, they are never without some power of hurting; and silence under them will pass, in the estimation of a great part of the world, for an acknowledgment of guilt. If, therefore, an unprincipled antagonist attempts to render a man odious, *either by representing him as saying what he never said, or by inventing personal slander and calumny against him*, it will generally be as prudent as it is equitable to cite him to the bar of the public, expose his dishonest arts and malignant intentions, and with strong hand drag him forth, like Cacus from the midst of his fire and smoke, to light and punishment.”—*Aikin's Letters of a Father to a Son*, pp. 109–113. Lond. 1794.—I have taken both parts of the advice.

* Vide Note XLIII.

something that is due ; but the question is not, Whether what is due ought to be paid, but whether tribute exacted for a sinful purpose is, or can be, due. Prove that it is, and the controversy is at an end : But to say that tribute is called debt, proves nothing to the point. Civil obedience is called debt as well as tribute, but there are cases in which obedience ought not to be yielded ; and why may there not be cases in which tribute ought not to be paid ? I am not disposed to question the sincerity of those who use this argument, but in doing homage to their honesty, I necessarily sacrifice all respect for their understanding.

With regard to the second of these statements, I must say, that though it were fully made out that the principle, on which the payment of a tax for a specific immoral object is condemned, is applicable in some instances to taxes for general purposes, that would in no degree shake my conviction, as to the truth of another proposition, viz. that it is wrong to pay a tax for a specific purpose which I account immoral, a proposition which rests immoveably on its own proper foundation of rational and scriptural evidence. There is very little danger of any man pretending conscientious scruples in reference to the payment of taxes, whether for general or specific objects, while he is certain that the pecuniary sacrifice will be greater in the case of refusing than of complying with the claim ; and I do not know that governments

would be at all the worse, of having intimation given to them, in a manner fitted to secure their attention, previously to the season of serious hazard, of conscientious dissatisfaction on the part of their subjects, with the manner in which the public revenues are expended.

But whatever there may be in this, every attempt to show that the avowal, on the part of the government, of what appears to me the immoral purpose of a tax, does not affect the moral character of my act of paying it, has completely failed, and must for ever completely fail, while there is a difference between parting with property for what I know to be right, and parting with property for what I know to be wrong. To part with property is a voluntary act, and no power on earth can make it right in me voluntarily to do what I believe to be wrong. If it is taken from me for such a purpose, that is the exercise of might not right, and in such a transaction I may innocently be a sufferer, but I cannot innocently be an actor. The distinction is to my mind so palpable, that I despair of making it clearer by any illustration; and should any person still insist that he cannot perceive it, I can only regret a deficiency, I cannot supply, and wish him *τα αισθητηρια γεγυμνασμενα, δια την εξιν, προς διακρισιν καλου τε και κακου* “faculties trained by practice to discern good from evil.”* “There is more,” as Joseph Mede says, “goes to persuasion,”

* Heb. v. 14.

especially on subjects of this kind, “than reasons and demonstrations, and that is not in my power.”

The only passage in any of these replies, which seems to demand animadversion from *me*, is the following: “If the body of the Secession approves of Dr Brown’s Canons of Criticism, and remain for half a century longer to be distinguished for their attachment to ancient orthodoxy, it will be a kind of miracle. A spurious liberality is more likely to take the place of that earnest contending for the faith, that was manifested by those men of God, who founded the Secession. I think I see symptoms of a spurious liberality in Dr Brown himself. I set no bounds to the liberality that ought to exist among all the friends of a pure gospel. But would an Erskine have styled Mr Locke ‘an excellent divine?’ This expression grated on my ear, and I bitterly lamented it, as affording evidence that the Seceders of Scotland are not what their fathers were. That Mr Locke was an excellent philosopher, and in many respects a worthy man, no man will question. But no man who respects the standards of the Church of Scotland, can consistently call him ‘an excellent divine.’ His system of religion, unfolded in his work on the Epistle to the Romans, is the very core of Arminianism, and affords the most plausible expedients to the opposers of the truth to evade its evidence. Let there be unbounded liberality with respect to the friends of the gospel of God. Let its very enemies get jus-

tice. But if an angel from heaven should dare to arraign the gospel, let us not fear to say with an apostle, ‘ Let him be accursed.’ To speak of Mr Locke as ‘ an excellent divine,’ is to authenticate not his criticism merely, but his errors.”*

The unwarranted insinuations in these words against a religious body, to which I account it an honour and privilege to belong, appear to require the exposure and rebuke, which the unfair personal attack in them, one among many, would assuredly not have provoked. Will the reader believe that this fabric of weighty charges and dark vaticinations has no foundation, but in the distempered imagination of its author? I never said, I never thought, that Mr Locke was “ an excellent divine.” In a little work, published more than twenty years ago, I stated the judgment which I then had formed of him as an inter-

* Carson’s Review, pp. 117, 118.—This gentleman seems ambitious of deserving the character, given by Camerarius, of a defamer of the accomplished Melancthon, “ *delicatus scurra, tanquam Thersites, qui studio sibi habet lacerare maledictis, summos, et maximos viros.*”* He has done much towards gaining this unenviable distinction, who has attacked “ *suo more,*” such men as OWEN, HUGHES, DICK, WARDLAW, PYE SMITH, THOLUCK, and HENDERSON, “ *viros summos et maximos.*” After preying on such exalted quarry, it is rather extraordinary that he should pounce on such humble game. Is this to be accounted for, on the principle that the appetite for abuse once excited, and “ growing by what it feeds on,” loses in discrimination what it gains in keenness, and becomes more ravenous than nice; or, on the more familiar principle—that the falcon flies at the nod of its keeper, and the spaniel barks when his master bids him? Thersites’ imitators should remember Thersites’ fate—Achilles’ fist silenced the railings, by demolishing the railer.

* Camerarii vita Melancthonis. Proœmium. Lipsiæ. 1696.

preter of Scripture, in the following terms: "Had Mr Locke's honours no foundation, but his skill in Biblical criticism, they would stand on a tottering basis. It is his well-earned fame as the philosopher of the mind, which preserves his Biblical labours from oblivion. His commentary contains, indeed, a few good remarks, but he gave, we rather think, the first example, in this country, of that misinterpretation on principle of the Apostolic Epistles, which Dr John Taylor of Norwich, with such a waste of labour, perfected into a system."* My opinion has not materially altered as to Mr Locke's merits as an interpreter; and as to his theology, it has always appeared to me more akin to Pelagianism than to Arminianism.

The appellation given by me to Mr Locke, is not "an excellent divine," but "an accomplished philosophical jurist," which I think few qualified judges will account an unmerited or inappropriate eulogium. It is Dr Watts, not Mr Locke, whom I term an excellent divine. Now, though from some of Dr Watts' opinions even on important subjects, I entirely dissent, yet still I apprehend he is fairly entitled to the appellation, "an excellent divine." The passage referred to in my assailant's remarks, runs thus: "Dr Watts states that the design of civil government is to secure the persons, properties, the

* *Strictures on Mr Yates' Vindication of Unitarianism*, p. 26. Glasg. 1816.

just liberty and peace of mankind, from the invasions and injuries of their neighbours.”—“The commonwealth,” says Locke, “seems to me a society of men constituted *only* for the procuring, preserving, and advancing their civil interests. Civil interests I call life, liberty, health, and indolency of body, and the possession of outward things, such as money, lands, house furniture, and the like. In perfect conformity with this excellent divine, and this accomplished philosophical jurist,” &c.

How the author was led into the course of misrepresentation he has followed, may be accounted for on various suppositions. Stupidity, malignity, or inadvertence, will solve the problem. His book abundantly refutes the first supposition. Its author labours under no such deficiency of understanding as would at once account and apologise for such a mistake. There is much to give plausibility to the second supposition, but it would require to be supported by even stronger evidence, than that book contains, to be innocently entertained, and we therefore readily give him the benefit of the third hypothesis, and set it down, as one of many proofs, that he had not carefully considered the book, which he had undertaken to refute.

This exposure of his rashness may be of use to him, if it lead him to attend to the counsel of the wise Ben Sirach (the advice, though from the Apocrypha, is a wholesome one), “Blame not before thou

hast examined the truth : Understand first, and then rebuke.”* If he does not follow this advice, he will probably again verify the adage, which carries with it a far higher authority, “He that answereth a matter before he heareth it, it is folly and shame to him.”†

To bring a serious charge against a numerous denomination of Christians, whose reputation for soundness in the faith has, during the whole century of its existence, been untainted, on the ground of an opinion, casually expressed, by one of their ministers, on the merits of a particular writer, even if that opinion had been incorrect, surely would not savour of that “charity” which “thinketh no evil.” “The Seceders are not what their fathers were—a spurious liberality is likely to take the place of earnest contendings for the faith. It will be a kind of miracle if they remain for half a century longer to be distinguished for their attachment to ancient orthodoxy—and there is evidence afforded for all this.” And what is this evidence? All these foul charges against, all these dark forebodings about the Seceders, are founded on a single short expression of one of their ministers, which, on examination is found to be, “Dr Isaac Watts was an excellent divine.” The back of a tortoise is as good a foundation for the world, as such a saying is for such a charge. There must be something wrong, when a man can on such evidence not

* Ecclesiasticus xi. 7.

† Prov. xviii. 13.

only “take up,” but in his closet excogitate, and then proclaim, from the press, through the length and breadth of the land, such “a reproach against his neighbour.”

This gentleman, like his principal, seems to be of a very pugnacious disposition. “Let me be met,” he exclaims, “on every point, and let my opponent step by step defend what I have attacked.” This challenge, so far as I am concerned, must remain unaccepted. A sufficient reason has already been given for this; but there are two others in reserve. I do not think it wise to fight with those who use poisoned weapons. I dare not employ such implements, so that we would not be on equal terms: And, besides, both the second and his principal would do well to consider that those who set at defiance at once the decencies of Christian debate, and the usages of literary warfare, “degrade themselves,” as Porson says, “from that rank in literature, which entitles one writer to challenge another,”* and to decline in such a case to take up the gauntlet, is understood as an indication of fear, not of being foiled in, but of being disgraced by the combat.

Of the remarkable individual, whose unprovoked attack occasioned the preparation and publication of the Treatise, and who in his letters† has afforded the

* Porson's Letters to Travis, p. 406. Lond. 1790.

† Of the spirit of these extraordinary productions, the following specimens will enable the reader, who may not have seen them, to

public ample means of forming a judgment of his temper, talents, acquirements, and cause, I have only to say, in the words of Casaubon about Gretzer, one of his opponents, who is described as "*homo virulentissimus, maledicendi fere professor, et scurrili dicacitate nemini secundus*"—(such men have been

form a judgment. The Lectures are described as, "revolutionary and neological discourses, in almost every page" of which "occur false reasonings;" containing "perversions of Scripture so flagrant as to be not only irreverent to God, but an insult to the understanding of every reader," one passage being "not only absurd but blasphemous," and one sentence so "expressive of deep malignity," that if it may be equalled it cannot be surpassed; inculcating "sentiments fraught with absurdity," "against which common sense and common honesty alike revolt," "false, heretical, and pernicious doctrines, which suit well with the infidel supporters of the present ungodly school of political philosophers;" teaching and exemplifying a "casuistry worthy of a whole conclave of the disciples of Loyola," "dishonourable and dangerous subterfuges," "artful evasion, sophistical criticism," and "paltry sophistry, with which it is disgusting to deal." Their author is denounced as "a dangerous citizen," and "a most unsound expositor of the word of God," who, though "a theological professor of a denomination long distinguished for orthodoxy," "tramples on the law of Christ, and gives to the winds the solemn precepts of the apostle," "makes void the word of God as grossly as was done by the Pharisees through their traditions;" makes as great "havoc of the word of God," as ever any neologian did, "preaches sedition under as specious a garb as the most accomplished Jesuit could employ," "teaches direct rebellion against the authority of God, and places the will of man above the will of God," is "a dishonest disputant," a "most insufficient and dangerous guide," is "self-condemned," "knowing that he is wrong, without having the candour to acknowledge it," "has imbibed a spirit of political agitation," is "an inflamed demagogue," "a hot-headed agitator," whose "ardour after change and innovation indicate a mind ill at ease with itself, resembling the troubled sea, which casts forth mire and dirt;" and he is counselled, "if immured in a prison, to which the violated laws of his country have

found in all ages),—"DEMIROR FUROREM HOMINIS, SED ME ILLE NON MOVET."*

This work, though its origin and primary reference may seem calculated to excite only a local and temporary interest, refers to a subject of general and permanent importance. It has a direct bearing on the question respecting civil establishments of religion,—that question which yields to few in magnitude, as involving in its right resolution, the most valuable interests of mankind, both as individuals and

consigned him, to remain in that confinement, till, after serious consideration, he is convinced of the evil of trampling on the ordinance of man and the ordinance of God, that experiencing the painful effects of the one, he may be led to ponder the more serious and awful consequences of the other."

Were my accuser believed, the tendency of my doctrine and conduct could not be better described, than in the following vigorous sentence of the great Genevan Reformer:—"Non aliorum spectat nisi ut regibus sua sceptrum e manibus extorqueantur, tribunalia judiciorum omnia precipitentur, subvertantur ordines omnes et politicae, pax et quies populi perturbetur, leges omnes abrogentur, dominia et possessiones dissipentur, omnia denique, sursum deorsum volvuntur."—*Calvini Prefat. ad Instit. Christ.* p. 1. Folio. Argent. 1545. Such were the calumnies uttered against the reformers of the fifteenth century,—and, like them, to have "all manner of evil spoken against me" (*δωρεαν*), gratuitously, when maintaining substantially the same cause, I count no common honour.—*Χαίρω και αγαλλίαω*.—*Matth.* v. 12.

"I will show you, Sir, what is railing," says the author of the above revilings, towards the close of the large pamphlet, a fair specimen of which has been exhibited. The promise is ill placed. To show "what railing is," was then "actum agere"—a complete work of supererogation. The pithy sentence should be transferred in the next "THOUSAND" to the title-page—and would form a most appropriate motto.

* *Wolfi Casauboniana*, pp. 4, 205. Hamb. 1710.

as civil and religious bodies, and which has at length excited such a sense of its true character, as secures that it shall never cease to agitate the public mind of this country, till it is satisfactorily settled. To many, as well as to the Author, it is evident that it admits only of one mode of satisfactory settlement:—the entire disconnexion of Church and State.

By all who are not naturally incapable of reflection, or have not been disqualified for its exercise by the influence of powerful prejudice or excited passion, the religious establishments of this country are seen to be exposed to unprecedented dangers, from the increased intelligence, if not from the declining religion, of the age, which, from their obviously diminished and diminishing hold on the convictions and affections of the community, they are but ill prepared to meet.* And it is surely desirable to all enlightened lovers of their country, that the great crisis which is obviously approaching—which cannot be avoided, nor probably very long delayed—the most important

* Whether it was natural incapacity, or accidental disqualification which was at work, certainly the following picture of the Establishment by an evangelical clergyman, is a curious specimen of self-delusion:—"Our Establishment is at this time (1834), exhibiting to every beholder a model of temperate forbearance, dignified calmness, and truly Christian patience of revilings. May she ever pursue this exalted course, and she will sail, like the eagle in the lofty regions of the skies, far above the reach of the shafts of her assailants, upon whom, if she cast her penetrating glance for an instant, it will only be in pity, for the wasted but not less hostile efforts of those, who have not the strength to send an arrow, with sufficient force even to ruffle

crisis which has occurred in this country since the Reformation*—should pass like the revolution of 1832, without disturbance of the public peace, and with the least possible sacrifice of individual happiness.

It will be a fearful catastrophe, if, through obstinacy on the part of Churchmen, and indolence on the part of Dissenters, the disruption of the tie which binds the Church to the State, be left to the unscrupulous hands of a justly incensed, but very imperfectly enlightened populace. Yet to this, if preventive measures are not timely adopted, it must come, and may come sooner than we think.

the radiant plumage of her wings."* The ostrich, with her head behind the rock, fancying herself safe, because she does not see her pursuers, would be a more appropriate emblem of their Establishment,—and Gathercole and Philpots are living impersonations of her "temperate forbearance and dignified calmness."

* The following eloquent warning is not the less instructive and impressive, when the quarter from which it proceeds is considered:—"What times are coming upon the earth, we know not, but the general expectation of persons of all characters, in all nations, is an instinct implanted by God, to warn us of a coming storm. Not one nation only, but all; not one class of thinkers, but all; they who fear and they who hope, and who fear and hope things opposite; they who are immersed in their worldly schemes, and they who look for some 'coming of God's kingdom;' they who watch this world's signs, and they who watch for the next, alike have their eyes intently fixed on somewhat which is coming, though whether it be the vials of His wrath, or the glories of His kingdom, or whether the one shall be the herald to the other, none can tell. They who can calculate what is likely, speak of it; they who cannot, *feel* its coming; the spirits of the unseen world seem to be approaching to us, and 'awe

* The Life of the Rev. Rowland Hill, by the Rev. Edwin Sidney, A.M. Pref. p. xi. Lond. 1834.

In these circumstances, surely all enlightened patriots ought to bestir themselves. What is the course which Churchmen, continuing Churchmen, ought to adopt with the design of preparing for the crisis, it would be somewhat difficult to point out. The only advice our principles permit us to give them, is, "Come out, and be separate,"—an advice which few, even of those whom we believe to be the children of Zion though in Babylon, seem disposed to comply with. Dissenters could not wish Churchmen to adopt measures better fitted for hastening the dissolution of the connexion between the Church and State, than

comes on us, and trembling, which maketh all the bones to shake ;* 'all nations are shaken ;'†—there is 'upon the earth distress of nations, with perplexity, men's hearts failing them for fear, and for looking after those things, which are coming upon the earth.'‡ Times of trouble there have been before ; but such a time, in which every thing, every where, tends in one direction, to one mighty struggle, of one sort—of faith with infidelity, lawlessness with rule, Christ with Antichrist, there seems never to have been till now."—"God warneth us by the very swiftness, with which all things are moving around us, that it is *He* who is impelling them ; man cannot impart such speed, nor rouse the winds from the four quarters of the heavens, nor bring men's varying wills towards one uniform result, and therewith He warns us to beware how we attempt to guide, what He thus manifestly is governing."—*Patience and Confidence the Strength of the Church, a Sermon preached on the 5th of November, before the University of Oxford, at St Mary's, and published at the wish of many of its Members, by the Rev. E. B. Pusey, D. D. Regius Professor of Hebrew, &c. &c.* pp. 49–52. Glasg. reprint. 1833.—Dr Pusey is one of the Heads of the new Oxonian sect, of "via media" men, who seem disposed to pitch their tent on some very narrow slippery ground, a hitherto "terra incognita," between the regions of Romanism and Protestantism, but considerably nearer the former.

* Job. iv. 14, 15.~

† Hag. ii. 7.

‡ Luke xxi. 25, 26.

those which they are pursuing at present in both ends of our island, and especially in Ireland. Their only regret both for their brethren in the church, and for themselves, is, that these measures are not quite so well fitted to secure the peaceful, as the speedy accomplishment of that object.

What is the course which principled Dissenters ought to adopt in present circumstances, as it is a problem of deeper interest to most of my readers, so happily is it of much easier solution. At all times, and in all circumstances, it was their duty—a duty, alas! very imperfectly performed by them, to use perseveringly all constitutional means for putting as speedy and as peaceable an end as possible, to what must appear to them both in a civil and in a religious point of view, a system rooted in injustice, and fruitful of mischief: And now that the termination of that state of things is obviously approaching, and approaching in a somewhat alarming form, it becomes them to employ every method consistent with their principles, that the desired good may be obtained with as slight a mixture as possible of counter-balancing evil.

The great hazard to be anticipated and guarded against, is the violent collision of the Church and her powerful supporters, with the still more powerful masses of the people, whose interests of every kind are every day more clearly seen, to have been sacrificed to an enormous amount in the support of the

ecclesiastical monopoly. This evil cannot be prevented, but by having the eyes of our legislators opened to the true state of the case, that they may be induced to do, constitutionally and quietly, what otherwise will be done for them, amid the turbulence of excited passions, endangering the existence of the most stable civil institutions of the country.

By far the most effectual method of gaining this object on the part of Dissenters appears to be,—the acting out the principles contained in the following exposition. Were all, or were even the great body of the Dissenters in this country, quietly, yet resolutely to refuse to yield support to the ecclesiastical institutions, of which they conscientiously disapprove, following in the peaceful and praiseworthy track of the Friends, the attention of the government and the legislature, would be irresistibly drawn to a subject, which has been but little considered, and is not at all understood by them; and the impossibility of long upholding the present system, would glare on them with an evidence which would persuade them, even against their will, that no time was to be lost in preparing for an approaching event, which, if met unprepared, may have consequences from which all sound-minded, right-hearted men, to whatever religious or political party they belong, would start back with alarm.

Were the Dissenters generally to refuse to pay church taxes, no government which could exist in

this country, whether Tory, Whig, or Radical, durst continue from year to year the measures which would be necessary, in this case, to support the Establishments. They would be obliged practically to repeal the law for their maintenance, so far as Dissenters are concerned, and this would be found equivalent to a dissolution of the connexion of Church and State. It has been justly observed, that “nothing is so invincible as determined non-compliance. He that resists by force may be overcome by greater force; but nothing can overcome a calm and fixed determination not to obey.”

To follow the course, which I recommend both by my doctrine and by my practice, is to “follow the things that make for peace.” Violence is equally to be deprecated for the sake of Christians in the Established Churches and out of them; and that Dissenter acts the kindest part to his Christian brethren in the church, though they may not think so, as well as the most consistent part in reference to what he accounts the cause of truth and righteousness, who, by peaceable non-obedience to an unjust law, and patient submission to its consequences, adopts the course which, above all others, gives the fairest promise of preventing that *violent* disruption of Church and State, which otherwise, according to the ordinary laws by which the affairs of men are regulated, cannot be very long delayed. Could the thinking and the influential portion of the community be but brought to look

the present dangers of the country, as connected with ecclesiastical affairs, full in the face, and act according to the impression which such a view must produce, these dangers would be greatly diminished, if not annihilated. If they obstinately refuse to follow this course,—“Down comes the thunderbolt,”—and “who shall live when God does this!”*

These observations would have force, were the course recommended merely consistent with the higher obligations of religious and moral duty—how greatly must that force be increased if it be, as I am convinced it is, sanctioned and required by their obligations. Those concerned would do well to consider whether in following an opposite course, they are not only neglecting an innocent means of doing much good, and preventing much evil, but incurring direct criminality in “building again what they have destroyed.” It were easy to substantiate the charge of

* “These are terrible conjunctures, when the discontents of a nation—not light and capricious discontents, but discontents which have been steadily increasing during a long series of years—have attained their full maturity. The discerning few predict the approach of these conjunctures, but predict in vain. To the many, the evil season comes, as a total eclipse of the sun at noon comes to a people of savages. Society, which but a short time before, was in a state of perfect repose, is on a sudden agitated with the most fearful convulsions, and seems to be on the verge of dissolution; and the rulers who, till the mischief was beyond the reach of all ordinary remedies, had never bestowed one thought on its existence, stand bewildered and panic-stricken, without hope or resource, in the midst of the confusion. One such conjuncture this generation has seen. God grant that we may never see another.”—*Edin. Review*, vol. lxviii. p. 152.

folly. It will be difficult to rebut the charge of guilt.

Under a deep impression of the truth and importance of these principles, I most earnestly call the attention of Dissenters throughout the kingdom to the consideration of the question discussed in these pages. The more thoroughly the principles they uphold are examined, the more reasonable I am persuaded will they appear to be in themselves—the more abundantly supported by appropriate evidence—the more obviously calculated to promote the peace of the commonwealth, and the prosperity of religion. If they are not true, let them be disproved. If they are true, let Churchmen embrace them, and let Dissenters act on them.

4, BELLEVUE TERRACE, *November 19, 1838.*

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THE LAW OF CHRIST

RESPECTING

CIVIL OBEDIENCE.

“ We desire to give unto Christ that which is His, and unto all lawful authority what is THEIR, DUE ; . . . but if any man shall impose upon us any thing that we see not to be commanded by our Lord Jesus Christ, we should in his strength rather embrace all reproaches and tortures of men, to be stript of all outward comforts, and if it were possible die a thousand deaths, rather than to do any thing against the least tittle of the truth of God, or against the light of our own consciences.”—CONFESSION OF FAITH OF THE BAPTIST CHURCHES. 1643.

“ Government *ought* to be supported ; no person who knows what the terms mean will deny it. Government *may* be rightly resisted ; no friend to the revolution, or to the title by which the House of Hanover sits on the throne of the three kingdoms, will deny it.”—BISHOP WATSON.

“ Cursed for ever be that doctrine which countenances disobedience to magistrates : Our dispute at this time is not about obedience, but the measure of obedience.”—JUS POPULI.

ON THE LAW OF CHRIST RESPECTING CIVIL OBEDIENCE.

THE LAW.

“LET EVERY SOUL BE SUBJECT UNTO THE HIGHER POWERS, FOR THERE IS NO POWER BUT OF GOD: THE POWERS THAT BE ARE ORDAINED OF GOD. WHOSOEVER THEREFORE RESISTETH THE POWER, RESISTETH THE ORDINANCE OF GOD; AND THEY THAT RESIST SHALL RECEIVE TO THEMSELVES DAMNATION. FOR RULERS ARE NOT A TERROR TO GOOD WORKS, BUT TO THE EVIL. WILT THOU THEN NOT BE AFRAID OF THE POWER? DO THAT WHICH IS GOOD, AND THOU SHALT HAVE PRAISE OF THE SAME. FOR HE IS THE MINISTER OF GOD TO THEE FOR GOOD. BUT IF THOU DO THAT WHICH IS EVIL, BE AFRAID; FOR HE BEARETH NOT THE SWORD IN VAIN: FOR HE IS THE MINISTER OF GOD, A REVENGER TO EXECUTE WRATH UPON HIM THAT DOETH EVIL. WHEREFORE YE MUST NEEDS BE SUBJECT, NOT ONLY FOR WRATH, BUT ALSO FOR CONSCIENCE’ SAKE. FOR, FOR THIS CAUSE PAY YE TRIBUTE ALSO: FOR THEY ARE GOD’S MINISTERS, ATTENDING CONTINUALLY UPON THIS VERY THING. RENDER THEREFORE TO ALL THEIR DUES: TRIBUTE TO WHOM TRIBUTE IS DUE; CUSTOM TO WHOM CUSTOM; FEAR TO WHOM FEAR; HONOUR TO WHOM HONOUR.”*

INTERPRETATION OF THE LAW.

INTRODUCTION.

It has often been said, that Christian *men* have but little to do with politics, and Christian *ministers* still less; and, within certain limits, the observation is both true and important. A Christian, to whatever class of society he belongs, has little to do with politics, in comparison with reli-

INTROD.

Politics not
the great bu-
siness of a
Christian.

* Romans xiii. 1-7.

INTROD. gion. He is a citizen of heaven—he is a pilgrim and a sojourner on the earth,—and he is chargeable with inconsistency as well as folly and sin, when he gives that place in his regard to “things seen and temporal,” which is due only to “things unseen and eternal.” His primary employment, to which every thing else must be made subservient, is to “seek the kingdom of God and his righteousness.” A Christian in the ordinary walks of life has little to do with politics, in comparison with his “own business.” To “provide for his own, and especially for those of his own house,”—to “work with his hands that which is good, that he may have to give to him that needeth,” are his indispensable duties; and such a Christian man acts a very criminal and inconsistent part, if he wastes that time and thought and active energy which ought to be devoted to such purposes, in perusing political pamphlets, attending political meetings, and organizing plans for the better management of the State.

nor of Christian ministers.

If these remarks be just in reference to Christians in general, they apply with redoubled force to Christian ministers. When the sacred nature—the wide extent—and the transcendant importance of a minister’s duty are taken into consideration, it must appear in the highest degree incongruous and improper in “the soldier of Christ Jesus” unnecessarily to “entangle himself with the affairs of this life.” It is not thus that he will “please him who has chosen him to be a soldier.” One of the most powerful objections to the civil establishment of Christianity, arises

from its tendency, most unhappily manifested in its effects, to transform those who should be the ministers of Christ and his gospel, into zealous partizans, or factious opponents of the existing administrators of civil power. It is infinitely beneath the dignity of a messenger of God* to stoop to be the tool or subordinate agent of any set of statesmen, whether in possession or in pursuit of power—and it is, if possible, still more discordant with the sacredness of his character, and the purposes of his function, to become a political agitator, a leader of the designing and the factious, a disturber of the public tranquillity. The sphere of the appropriate studies and labours of the Christian minister, is elevated far above that in which the worldly politician pursues his busy and perplexing course,—and when he descends from the former to the latter, he realizes the mystic emblem of the Apocalypse—he becomes a “falling star”—and the effect of his abandonment of scriptural for political studies—of the labours of the pastor for the labours of the partizan, is usually the embittering of the waters of the sanctuary.†

But while the maxim, that private Christians have little, and Christian ministers less, to do with politics, like most proverbial sayings, is, within certain boundaries, just and important, in its unlimited sense it is at once false and mischievous. When a man becomes a Christian, he does not cease to be a citizen. When he is invested with spiritual privileges, he does not forfeit natural rights. His new religious relations

Christians
have to do
with politics,

* Vide Note I.

† Rev. viii. 10, 11.

INTROD. do not annihilate or even derange his old civil relations. A Christian is necessarily a man of public spirit. He has a generous interest in the welfare of all men, the fervour of which increases with the closeness of the relation which he bears to them. By such a person, political arrangements, intimately connected as they are, not merely with the external, present comfort, but with the moral improvement and the everlasting welfare of mankind, must be and ought to be heedfully regarded; and it is never to be forgotten that every Christian has a variety of duties to perform to civil government, which cannot be discharged in the only way in which they can be acceptable to God—as a “reasonable service,” without distinct apprehensions of their nature and obligation.*

and so have
Christian min-
isters.

These observations are as applicable to ministers as to other Christians; and, in addition, it may be remarked, that as ministers are bound not only to discharge the duties of good subjects, but to explain and recommend those duties to their people, in the course of their public instructions, they must be at once well acquainted with the principles of sacred Scripture on this subject, and with the political relations of those to whom they minister, to enable them to perform this part of their official duty like “workmen who need not be ashamed.”†

The apostle's
example.

The Apostle Paul was certainly both a very good Christian and a very good Christian minister, and, moreover, “spoke” and wrote “as he

* Vide Note II.

† Vide Note III.

was moved by the Holy Ghost;" and though INTROD.
 equally removed from the meanness of the obsequious, time-serving political agent, and from the turbulence of the self-constituted reformer and factious demagogue—he yet, in the interesting paragraph which lies before us for exposition, enters briefly but comprehensively into a statement of the political relations and duties of the Christians to whom he was writing, and in this, as in every thing else, he sets before Christian ministers in every age a fair example, after which they ought to account it their honour and their duty to copy.

To understand thoroughly any book, not of a strictly scientific kind, it is necessary to be intimately acquainted with the events of the age and country in which it was written, and with the customs and habits of thought of the people to whom it was originally addressed. And there have been few sources of misapprehension and misinterpretation, in reference to ancient writings, more copious, than the coming to their perusal, with a mind unfurnished with the requisite previous knowledge, and entirely pre-occupied with the modes of thought and feeling which are prevalent in an age and country very remote from those to which the subject of study belongs, and possessing comparatively little in common with them, in literary, political, or religious character. I do not know if it would be easy to meet with a more striking illustration and confirmation of this remark, than in the manner in which the passage

Principle of
 Interpretation
 of ancient
 writings.

INTROD. of Scripture now before us has been very generally misinterpreted in opposite ways, by those who have forgotten or overlooked the circumstances of the country and age in which it was written, and of the persons to whom it was addressed, and applied it to the resolution of a question highly important in itself, and closely connected with the subject of this paragraph, yet originating in a state of things totally different from that which must have been present to the apostle's mind when he wrote it, and to meet which must have been his direct and primary object in writing it.

History of
the misinter-
pretation of
Romans xiii.

Somewhat more than a century and a half ago, in consequence of the invasions made by the ill-principled and ill-advised Monarchs of the house of Stuart, on the civil and religious liberties of their country, and the resistance which their intolerable oppressions at last provoked from their much and long-enduring subjects, the question with regard to the *limits* of civil obedience excited a deep interest, and was agitated with much keenness and ability on both sides.

On the one hand, it was maintained by Milton and Vane, and Locke and Hoadly, with invincible argument and overwhelming eloquence, that, civil government being an institution exclusively intended for promoting the security and welfare of the community at large, whenever that end is obviously not obtained—when the power which was created for the purpose of protecting life and property, is habitually and notoriously exercised in endangering or destroying both—it is the

right and the duty of every man, by all lawful and constitutional means, to have the government so altered as to gain its end; and if all other methods be found ineffectual to secure the necessary alteration, that the people have the right, as well as the power, to put down so intolerable a tyranny by force. INTROD.

On the other hand, it was maintained by Barclay, and Hobbes, and Filmer, and Parker, and an almost innumerable host of expectants or possessors of ecclesiastical preferment, that governors hold their situation by divine right, and are accountable only to God for the exercise of the authority with which he has invested them; that whatever they command, must be cheerfully obeyed (some holding this without limitation, teaching that the command of the magistrate is the subject's ultimate rule—others, admitting as an exception what is directly opposed to a clearly expressed divine command),—that whatever they inflict must be patiently borne, however unjust, and that in no case can subjects resist or oppose magistrates without exposing themselves to eternal damnation.

The courtly divines who espoused these latter opinions, loudly appealed to the authority of the New Testament: and the thirteenth chapter of Paul's Epistle to the Romans was counted the very citadel of their cause. In the agitation of passion utterly forgetting, or warped by interest, studiously keeping out of view, that the circumstances of the Christians in Rome,—a small body, —chiefly of the lower orders,—many of them fo-

INTROD. reigners,—under a Heathen government, essentially absolute, over which they had and could have no control, and the circumstances of the British nation—with few exceptions making a profession of Christianity,—under a government administered by men professing Christianity, essentially free, on whose management the constitution gives the subjects the means of making an impression by petition or representation, and whose very existence depends on their will, were by no means parallel—from the passage before us they attempted to prove that the existing government was the ordinance of God, its administrators his appointed ministers, and that whosoever resisted them, violated the law of Christ, and drew down on himself the righteous vengeance of Heaven.

It is painful to reflect that one misinterpretation of Scripture ordinarily leads to another, and that, not only by him who misinterprets, but often also by those who oppose him. Instead of making their stand on the grand leading principles of sound reason and well-interpreted Scripture, and asserting that the passage before us had no *direct* bearing on the *limits* of civil obedience, some of the able and noble-minded enemies of the doctrines of the divine right of monarchs to absolute authority—of passive obedience and non-resistance, set themselves to the vain and mischievous attempt to show that the apostle does not here describe the Roman government, and enjoin the duties of Christians under it—that he has no reference to any existing government, but that he

lays down the principles on which civil government should be constituted, and unfolds the duties which subjects owe to such a government. Following out these principles to their fair results, some of them arrived at the conclusion, that Christians are not morally bound to yield obedience to any government, unless it is constituted and administered in accordance with what they consider, the principles of Divine revelation. *

All this misinterpretation on both sides might have been avoided by attending to the object which the apostle had in view in these remarks, and to the mode of thinking, prevalent among at least the Jewish converts to Christianity, which rendered the prosecution of that object necessary. We know that among the Jews the opinion, grounded on a mistaken apprehension as to the meaning, or rather reference, of a passage in the law of Moses† was prevalent, that no Gentile government could have legitimate authority over “the holy nation,” Jehovah’s “peculiar people”—that God was their king, that they were not bound to obey any subordinate authority which had not his express appointment, and that prudence, not conscience, was the ground of their submission to the Roman yoke; while some went yet farther, and held that it was unlawful to give any token of subjection to a heathen power.

The first Christians generally, and the members of the church of Rome in particular, were many of them converts from Judaism; and it was not certainly a matter of course that they should lose

* Vide Note IV.

† Deut. xvii. 14, 15.

INTROD. these prejudices on embracing Christianity. On the contrary, it seems highly probable, though (as Dr Paley remarks) “neither the Scripture, nor any subsequent history of the church, furnish any direct attestation”* of the fact, that the notions which have in after ages been repeatedly revived, of the freedom of the saints from all secular authority, and their rightful dominion over the rest of mankind, like most other errors, prevailed to a certain extent in the primitive times. To such sentiments the apostle Peter seems to allude when he exhorts Christians to conduct themselves “as free, and yet not using their liberty as a cloak of maliciousness” (sedition, as Dr Paley interprets it), “but as the servants of God.”†

Admitting the supposition, certainly a highly probable one, that some such sentiments were actually entertained, or the undoubted fact, that in the former opinions of many of the Christians at Rome, there was a natural source of such sentiments, nothing could be less expected, on the part of the apostle, than a dissertation on the fundamental principles of civil government, or on the precise limits within which obedience to a government, founded on these principles, should be confined. What we naturally look for in the circumstances of the case is a clear statement and powerful enforcement of the duty of the Roman Christians to the government under which they were placed, fitted to prevent or put down mistaken no-

* Paley's Moral and Political Philosophy, Works, vol. i. p. 329. Lond. 1825.

† 1 Peter ii. 16.

tions, which, if followed out to their practical consequences, might have led to results the most destructive to themselves, and the most disastrous to the Christian cause.* The paragraph before us exactly answers this expectation. It “inculcates the *duty*—it does not describe the *extent* of it. It enforces the *obligation* by the proper sanctions of Christianity, without intending either to enlarge or contract, without considering indeed the *limits* by which it is bounden.”†

It goes on a principle which pervades the whole of the apostle’s injunctions with regard to social ethics,—that Christianity does not interfere with existing civil relations. To the Christian spouse who might suppose cohabitation with an idolater unlawful, he says, “The unbelieving husband is sanctified to the wife,” *i. e.* the believing wife; “and the unbelieving wife is sanctified to the husband,” *i. e.* the believing husband. And to the slave who might be apt to suppose that be-

* Vide Note V.

† Paley. Buchanan in his eloquent and well-reasoned dialogue, “*De Jure Regni*,” very justly remarks, “*nec ei contentio est cum eis qui malos magistratus coercendos putant, sed cum hominibus omne magistratus imperium detrectantibus; qui libertatem Christianam absurde interpretantes affirmabant indignum esse, ut qui a Dei Filio essent emancipati, a Dei Spiritu regerentur sub ullius hominis potestate essent.*” p. 150. Glasg. 1750. “The apostolic exhortation,” says Robert Hall, “as addressed to a few individuals, and adapted to the local circumstances of Christians at that period, admits an easy solution, but to imagine it prescribes the duty of the Roman empire, and is intended to subject millions to the capricious tyranny of one man, is a reflection as well on the character of Paul as on Christianity itself.”—*Preface to Apology for the Freedom of the Press.* Works vol. iii. p. 72.

INTROD. cause he was the Lord's freeman he could be no man's slave, his instructions are in effect,—Let no man become a slave, if he can help it; let every slave who can lawfully obtain liberty, thankfully accept it: but while you are slaves, conscientiously perform the duties of bond-servants.*

Principle of
right inter-
pretation of
the Holy
Scriptures.

These remarks cast light on a great principle of right interpretation of the Holy Scriptures. Though divinely intended and fitted to form parts of a permanent and universal "rule of faith and manners," by far the greater number of the books both of the Old Testament and the New were occasional in their origin. They were intended to answer an immediate as well as an ultimate purpose. They were addressed to particular individuals in particular circumstances, to serve a particular object. With regard to any particular passage, we must know what it was to *them*, in order to our knowing what it is to *us*. These two questions are both important,—what was it to them? what is it to us? The second is the more important to us, but in few cases can it be satisfactorily resolved till the first is distinctly answered.† The subsequent exposition will be conducted on this principle.

* 1 Cor. vii. 21, 23; 1 Tim. vi. 1.

† Vide Note VI.

PART I.

ON CIVIL OBEDIENCE.

Few things more facilitate the labours of the in- PART I.
 terpreter than a clear distinct view, and scarcely Logical divi-
 any thing is a greater stumbling-block and hin- sion of the
 derance to him than a misapprehension of, what passage.
 I may term, the logical construction and division
 of the passage he is about to expound. To a mis-
 take here, is to a considerable extent, to be traced
 the obscurity which in many expositions hangs
 over the paragraph before us, after all that has
 been done to explain it.

Even a superficial reader cannot help seeing
 that, while occupied by one general subject, it di-
 vides itself into two parts,—(1) an injunction and
 enforcement of civil obedience generally, ver. 1–5,
 “Let every soul be subject unto the higher
 powers; for there is no power but of God: the
 powers that be are ordained of God. Whosoever
 therefore resisteth the power, resisteth the ordi-
 nance of God; and they that resist shall receive
 to themselves damnation. For rulers are not a
 terror to good works, but to the evil. Wilt thou
 then not be afraid of the power? Do that which

PART I.

is good, and thou shalt have praise of the same. For he is the minister of God to thee for good. But if thou do that which is evil, be afraid; for he beareth not the sword in vain: for he is the minister of God, a revenger to *execute* wrath upon him that doeth evil. Wherefore *ye* must needs be subject, not only for wrath, but also for conscience' sake;" and (2) an injunction and enforcement of the particular duty of paying tribute, included in the general duty of civil obedience, ver. 6, 7, "For, for this cause pay ye tribute also: for they are God's ministers, attending continually upon this very thing. Render therefore to all their dues: tribute to whom tribute *is due*; custom to whom custom; fear to whom fear; honour to whom honour."

So far all are agreed. There is, however, a difference of opinion as to the logical construction of the first of these divisions. The greater part of interpreters, both ancient and modern, so far as I know, consider the injunction as enforced by three considerations,—(1) Civil government is a divine ordinance, ver. 1, 2, "Let every soul be subject unto the higher powers; for there is no power but of God; the powers that be are ordained of God. Whosoever therefore resisteth the power, resisteth the ordinance of God; and they that resist shall receive to themselves damnation;"—(2) Civil government is intended for promoting human welfare, ver. 3, "For rulers are not a terror to good works, but to the evil. Wilt thou then not be afraid of the power? Do that which is good, and thou shalt have praise of the

same;”—(3) Disobedience will involve in punishment, ver. 4. 5, “For he is the minister of God to thee for good. But if thou do that which is evil, be afraid; for he beareth not the sword in vain: for he is the minister of God, a revenger to *execute* wrath upon him that doeth evil. Wherefore *ye* must needs be subject, not only for wrath, but also for conscience’ sake.” PART I.

I am fully persuaded that this view is erroneous, and that the apostle’s own division in the close of the paragraph, “Ye must needs be subject not only for wrath,” *i. e.* on account of the punishment to which disobedience will expose you, “but also for conscience’ sake,” *i. e.* from a regard to the will of God—is the true division, and that it exhausts the whole statement. The command is contained in the first clause. The first ground of obedience is illustrated in the last half of the first verse, and the first half of the second verse. The second ground of obedience is stated in the second half of the second verse, and its illustration reaches to the end of the fourth verse; while the fifth verse is a short recapitulation of the whole argument. The evidence in support of this view of the logical construction of the apostle’s argumentative exhortation, will be adduced at the proper place of the exposition.

Having thus cleared the way, let us proceed to inquire into the meaning of the apostle’s words,—first as they refer to those to whom they were originally addressed, and then as they refer to us, and to Christians generally, in every country and in every age.

PART I.

Meaning of
the terms
“ powers,
power, rul-
ers.”

The first question which requires to be resolved is, what is the meaning and reference of the words employed by the apostle ;—“ the powers”—“ the power”—“ the rulers?” Are they to be understood of principles or of persons, of offices or of officers ; or, as it has been quaintly phrased, of magistracy in the abstract or in the concrete ? It is not wonderful that among thinking men some should have adopted the first of these views,—for it rids the subject of considerable difficulty, and makes the passage embody in it one of the finest views of the object of civil government, that is to be met with in either profane or sacred literature. There seems great beauty in the apostle descending from “ the super-eminent powers,”—the great eternal principles of truth and justice and order, dwelling “ in the bosom of God,” a part of his nature as well as an expression of his will, which are the foundation of all law and government—to those principles first so far as embodied in all regular civil government, and then so far as embodied in the existing Roman government ; and the description contained in the third verse, if understood without limits, seems far better to answer to the magisterial office, as embodying these principles, than to any actual magistracy which ever yet has existed among men.

Yet I apprehend there is abundant evidence that the second view of the subject is the true one. The use of the plural number, “ powers,” is a strong presumption that the reference is not to magistracy in the abstract. It is not uncommon in Scripture to use abstract terms, to denote

classes of persons. As when “God” is said to have “set some in the church, miracles,” *i. e.* workers of miracles,—“gifts of healing,” *i. e.* persons endowed with the power of curing diseases,—“helps,” *i. e.* assistants, deacons,—“governments,” *i. e.* rulers,—“diversities of tongues,” *i. e.* persons capable of speaking various languages.* It would be a style fitter for poetry than prose, to speak of magistracy as “bearing the sword;” and the “powers” are represented as “rulers;” “the power” as “a minister of God” to reward and to punish. Besides, though this mode of interpretation might get rid of some difficulties, it would involve in other and greater difficulties. It seems utterly unaccountable, that the apostle should, on a subject on which the Christians in Rome were in great danger of falling into mistake—a mistake most hazardous to themselves and to their cause—enter into an abstract disquisition on the nature and design of civil government, which, so far as they could understand it, however ingenious and excellent in itself, must have rather increased than lessened the difficulty of their discovering what was their duty in reference to the existing Roman authorities.†

Taking for granted, then, that “powers” and “power,” as well as “rulers,” refer to persons invested with civil power—the power of making

Reference of
the terms ex-
plained.

* 1 Cor. xii. 28. Vide Luke xii. 11; Eph. iii. 10. vi. 12. Col. i. 16; ii. 15. 1 Peter iii. 22. Titus iii. 1.

† The reader will do well to consult the able discussion of this question in the Associate Presbytery’s Answers to Mr Nairn’s Reasons of Dissent.—*Gib’s Display of the Secession Testimony*, vol. i. pp. 305–308.

PART I. and executing laws; that the words are used just in the way in which we employ the synonymous term "authorities," let us now inquire into their reference. Do they refer to all rulers, or to a certain sort of rulers? The answer to that question seems very obvious. The words were addressed to the Roman Christians, to teach them their duty; and surely the governors referred to, must be the governors to whom they were subject.

Meaning and reference of the epithet "higher."

But what are we to understand by the "*higher* powers?" Are these words to be understood as expressive of a quality which belonged to all the Roman magistrates, or of a quality which belonged only to some of the Roman magistrates? Do they describe the higher orders of the magistracy in contradistinction to the lower? The word itself does not determine this question. It is used by the Apostle Peter to distinguish the king or emperor from inferior magistrates, when he contrasts "the king as *supreme*" (the same word as is employed here by Paul), with "governors as *them* that are sent by him."* Yet it is plain that all that follows in the paragraph before us,† is just

* 1 Pet. ii. 13, 14.

† The acutest of my reviewers,* has, by representing "the paragraph," here as denoting the passage referred to in 1st Peter, and not, as it obviously does, the passage under exposition, makes me speak absolute nonsense: and then exclaims, "This surely is not a happy specimen of exegesis in so learned a professor of exegetical theology." By defining still more clearly the reference of the word "paragraph," I have removed even the shadow of excuse—it never was any thing but a shadow—for misrepre-

* Carson's Review, pp. 50-52.

the unfolding of what is contained in the commencing precept; and it is equally plain, that in the sequel the apostle enjoins obedience, not only to the higher authorities in the empire, but to all authorities, down to the despised publican or tax-gatherer. The term, then, is not here distinctive of a species *in* the class of governors, but descriptive *of* the whole class of governors. What is its meaning? Some have rendered it “super-eminent,” understanding by that, eminence in the qualities which should distinguish magistrates—others “protecting;” but the facts of the case forbid the adoption of the first interpretation, and the usage of the language the second. The apostle in this case, as in most others, is his own best interpreter. In the beginning of the second chapter of his first epistle to Timothy, he exhorts Christians to make “supplications, prayers, intercessions, and giving of thanks—for kings and for all *that are in authority*,” *εν ὑπεροχῇ οὐτῶν*—a phrase of similar origin and meaning with that under consideration. “The higher powers” are then

sensation. I would much rather be the sufferer than the actor in such feats of critical slight of hand. I greatly admire the following passage from an ancient author, with whom our critic claims intimate acquaintance:—*Ἀπειπαμεθα τα κρυπτα αισχυνης, μη περιπατουντες εν πανουργια, μηδε δολουντες τον λογον του Θεου, αλλα τη φανερωσει της αληθειας συνιστωτες ἑαυτους προς πασαν συνειδησιν ανθρωπων ενωπιον του Θεου.* The critic is in quest of faults, and his motto seems to be “*Aut inveniam, aut FACIAM.*” He exemplifies here and *elsewhere*, the second part of the motto. He has certainly succeeded in *making* faults, whatever success he may have had in finding them. An ill-natured man would perhaps consider his own strong phrase as the justest description of this feat, “This is forgery.”—*Review*, p. 13.

PART I. just "the ruling authorities"—the magistrates in office—all invested with civil power, from the Emperor to the Ædile or Quæstor—all who were employed in making or in executing the laws.*

Duty enjoined "subjection."

The duty enjoined on the Roman Christians, in reference to these ruling magistrates, is "subjection." "Be subject to the higher powers,"—that is, be obedient to their commands: be submissive to their appointments.

Universality of the duty.

This duty, arising as it did out of a universal relation,—circumstances not peculiar to individuals, but common to all members of civil society,—is, in very forcible language, represented as equally binding on all the Roman Christians. "Let *every soul* be subject to the higher powers." Every *soul* is a Hebraism for every person, just as every *body* is an Anglicism for the same thing.† It is an idiomatic, and probably here an emphatic expression. It seems intended to bring the idea of the universality of the obligation more strongly out than the use of the ordinary term (*έκαστος*), "every one," would have done. Whatever dignity of official character he may be clothed with—whatever extent or variety of spiritual gifts he may be endowed with—let every one of you be subject to the ruling authorities. Chrysostom, who is perhaps the best interpreter among the Fathers, very well expresses the meaning: "Although he be an apostle, although he be an evangelist, although he be a prophet, let every soul be subject."‡

* Vide Note VII.

† Gen. xii. 5.

‡ The Rhemists, though neither as translators nor interpre-

The apostle proceeds to unfold the reasons on which this injunction is founded. These are two : The Roman Christians could not violate this law, without involving themselves in *guilt*, and in the consequences of guilt, as despisers of a divine appointment, violators of a divine law ; nor without exposing themselves to *punishment* by the magistrate for a crime,—an offence against the peace and order of society. The first of these grounds is stated in these words : “ For there is no power but of God : the powers that be are ordained of God. Whosoever then resisteth the power, resisteth the ordinance of God.”

PART I.

Reasons for compliance.
First reason
—the Divine authority.

We have here something like a formal argument—the premises, and the conclusion. The premises are, “ there is no power but of God—the powers that be are ordained of God”—first, a general, and then a more particular assertion. If by the term “ power” we were to understand magistracy, or civil government generally, then

The premises.
First premise
—“ no power
but of God.”

ters high authorities, have justly expressed the Apostle’s meaning here. “ St Paul here (as St Peter doth, 1 Eph. chap. ii.), expressly chargeth every man to be subject to his temporal prince and superiour : not every man to all that be in office or superiority,—but every one to him whom God hath put in authoritie over him, by that he is his maister, lord or king, or such like ; neither to them *in matters of religion or regiment of their souls* (for most part were Pagans, whom the apostle could not will men to obey in matters of faith), but to them *in such things only as concern the publike peace and politie*, and what other causes so ever consist with God’s holy will and ordinance, *for against God, no power may be obeyed.*”—*The New Testament of Jesus Christ, translated faithfully into English out of the Authentical Copy, &c. in the English College of Rhemes*, p. 415. Rhemes, 1582. Really some Protestants of the 19th century have something to learn from the Roman Catholics of the end of the 16th !

PART I. the meaning would be,—Civil government is so of God as to lay a foundation for a divine, moral obligation on those subject to it, to yield obedience. In this case more than a mere permission must be understood. Magistracy is from God, not merely as “all things are of God,”—as the famine and the pestilence,—war and slavery, are from Him. This could lay no foundation for obedience. Those who take this view err by defect.* They on the other hand err by excess, who insist that magistracy is a direct, express divine institution. It does not stand on the same foundation with the priesthood under the law, nor the Christian ministry under the gospel. The magistracy of the Jews was the result of direct divine appointment, but not the magistracy of any other people. It does not stand on the same foundation as marriage, which was formally instituted.† It occupies similar ground with the social state and commerce. It naturally rises out of the constitution of men’s minds, which are God’s work, and the circumstances of their situation, which are the result of his providence; and it is highly conducive to the security and well-being of mankind, which we know must be agreeable to the will of God. It is not like some of the things mentioned, so “of God” as not to be of man; for the apostle Peter expressly styles it,‡ the “ordinance of man,” (*ανθρωπινη κτισις*)—“the creature of man.”§ The two apostles do not, however, in any degree contradict each other,—Paul teaching that civil

* Vide Note VIII.

† 1 Peter ii. 13.

‡ Gen. ii. 23, 24.

§ Vide Note IX.

government rises out of elements formed by God, and is in accordance with his will,—Peter, that the actual existence and the particular form of civil government depend on human will and instrumentality. PART I.

I have already, however, stated the reasons which induce me to consider all the different terms employed in this passage, as referring not to office but to officers. “No power” is just equivalent to “no civil magistrate.” The term may, however, mean either—no individual magistrate, or no magistrate by whatever name he may be known, or with whatever modification of civil power he may be invested. It does not materially affect the apostle’s argument with which of these references you understand the term. Which is the more probable reference will be more easily determined after we have settled the meaning of the phrase—“of God,” which is applied to every power. It may be said of every magistrate that he is of God, by the permission of his providence; but this lays no foundation for a moral obligation to obedience. To say of every magistrate that he is of direct divine appointment, would lay a foundation for such an obligation,—but then the statement is not true. The Jewish magistrates—Moses, Joshua, the Judges, Saul, David, and Solomon, were of direct divine appointment. The family of David, though not individually, were, as a body, of direct divine appointment. So was Jeroboam and Jehu, among the Israelitish kings, and so was Zerubbabel, the prince of the captivity. But neither the Maccabees; nor the Asmonean kings,

Meaning of
the phrase
“of God.”

PART I.

nor the Idumean dynasty among the Jews; nor the consuls or emperors among the Romans; nor the archons of Athens; nor the kings of Sparta; nor the king, lords, and commons of our own country; nor the president, senate, and house of representatives in the United States;—none of these orders of magistrates, and none of the individuals who compose them, are of direct divine appointment. They are all of them, however, of God, as they are the result of the principles of the human mind, and the circumstances of nations, which are the work of God; and so far as they answer the great end of civil government—the objects of his approbation.*

Extent of the
assertion.

It seems to me probable, that the apostle's reference is not so much to all individual magistrates simply considered, as to all magistrates, by whatever name or modification of civil power they were characterized. This seems to meet the state of mind to which the whole address has a reference. It was not so much with the individual magistrate, as with the kind of magistracy that the Roman Christians were in danger of being dissatisfied. They probably would at any rate have preferred a descendant of David to Claudius or Nero; but still the chief ground of that preference would have been, that while the first belonged to an order of kings of direct divine appointment, the other did not. And the apostle's statement is, 'The imperial sovereign of Rome and his subordinate rulers are as *really*, though not *in the same sense*, "of God," as David and the

* Vide Note X.

elders of Israel. If you think you are warranted to disobey the Roman government because it is not “of God,” you labour under a mistake, for magistrates of every name and variety of civil function are so “of God,” as to lay a foundation for a divine moral obligation to obedience. The imperial monarchy of Rome, and the democracy of Athens, and the mixed government of some tribes, are but different forms of orderly civil rule, which, as resulting from divine arrangements, and conducive to divine ends, are agreeable to the divine will, as well as the theocratic government of the Jews.*

The apostle now proceeds a step farther, and as a person vested with divine authority—as one of the “princes who, sitting on their thrones, judge the twelve tribes of” the spiritual “Israel,” decides, that the existing Roman government was so the ordinance of God to those whom he was addressing, as that they could not disregard its authority without violating his law, and incurring his displeasure. “The powers that be are ordained of God.” “The powers that be” have been interpreted by some learned and ingenious men, as equivalent to “the authorities that really are authorities”—the government that deserves the name—the legitimate powers,—the magistrates who possess the qualifications and prosecute the

Second premise. The general assertion applied to the Roman government.

* “All civil power is immediately from God in its root, in that (1.) God hath made man a social creature, and one who inclineth to be governed by man; (2.) God intendeth the policie and peace of mankind.”—*Lex Rex. The Law and the Prince, A Dispute for the just Prerogative of King and People.* By Samuel Rutherford, p. 2. 4to. Lond. 1644.

PART I. ends of their office.* That the phrase may, in certain connexions, bear this sense, I do not deny; but that this is not its meaning here, if the greater part of what has been said above, be not misinterpretation, is sufficiently obvious.

I cannot express my sentiments on this subject better than in the well considered words of one of the soundest theologians, and most accomplished preachers of our country and age, my honoured and beloved brother and friend Dr Wardlaw: "It is, indeed, worse than absurdity to suppose the apostle Paul not to speak of the Roman government existing at that time: it approaches at least, to impiety. Paul, let us remember, writes under the influence of the Spirit of God. There is therefore, we may be assured, no 'fleshly wisdom,' no pitiful, shifting, evasive artifices of argument. We must not suppose him to say what his words, on the supposition in question, would plainly amount to. 'It is your duty, my brethren, to be subject to civil government, but it is only to governments that answer in the degree in which all governments ought, to the following description. You will at once be sensible that this is far from being the case with the government under which you are now placed. It is far, then, from being my intention to inculcate subjection to *it*. It is rather your duty to resist a government which answers so ill the ends of its institution.' Had Paul meant this, he would have said it in plain terms. Nay, he who can imagine the Spirit of truth, by whose direction he wrote, to have used

* Vide Note XI.

such duplicity and mental reservation, is much more than unworthy of being reasoned with.”* PART I.

Holding then, that “the powers that be” are just the existing Roman authorities, we apprehend the apostle’s assertion is,—the Roman magistrates are appointed by God to rule over you, and the other subjects of the empire.—“They are ordained of God.” These words are a strong translation of the original words, probably as strong a one as the translators, with a due regard to their conscience and scholarship, could give. The words literally signify, “are arranged or set in order under God.”† They have originated in circumstances of his arranging, and as the best government which, all things considered, the inhabitants of the wide regions included in the Roman Empire can bear—are so in accordance with his will, that none of their subjects, especially of their Christian subjects, after this explicit declaration by an apostle, can rebel against them without disobeying God.

The conclusion follows irresistibly from the premises, “Whosoever therefore resisteth the power, resisteth the ordinance of God.” There is much appropriateness and beauty in the phraseology here. The existing Roman magistrates, from the Emperor to the Ædile, have been (τασσομενοι) arranged, put into order “under God.” Whosoever, then, however high be his place in the church, or however distinguished by miraculous gifts, by

The meaning of the phrase “ordained of God.”

The conclusion.

* Dr Wardlaw’s Sermon on the Christian Duty of Submission to Civil Government. Pp. 24, 25. Glasgow, 1820.

† Vide Doddridge *in loco*.

PART I. disobeying the commands of the magistrates (*αντιτασσομενος*), sets himself in hostile array against these magistrates, marshalled as it were by God, (*ανθεστηκε*) resists,—withstands,—opposes (*τη διαταγη*) the arrangement of God.* He incurs not only the guilt of disturbing a useful human arrangement—but of opposing a divine arrangement, which has all the force of an express statute, especially on those to whom an inspired apostle has just declared, in the most explicit terms, that the existing Roman authorities are set in order by, or under God. This is the first and strongest enforcement of the duty of civil obedience. Disobedience is not only a civil crime, but a moral delinquency—it is not only a breach of the laws of men, but of the laws of God. It exposes not only to the displeasure of men, “who can kill the body,” but can do no

* To illustrate to a mere English reader, the peculiarity of diction arising from the relation of the Greek words *τασσομενος* and *αντιτασσομενος*, I had, in the first edition, represented the words as bearing a relation to each other, similar to that of “put in order”, and “put out of order”—“arrange” and “disarrange,” in English. With that eagerness, which generally characterizes second-rate scholars to find an antagonist at fault in matters of grammar, the critic already referred to,* charges me with not knowing the true meaning of the word *αντιτασσομενος*; and, with an excess of rashness or a defect of candour not often exemplified, represents me as applying the remark made on that word, to the interpretation of the word *ανθεστηκε*. In this edition I have so varied my illustration as to bring out my idea without the possibility of seeming even to a prejudiced critic to misinterpret the first word, and by inserting the second with that connected with it in regimen, where every attentive reader must have seen that they were referred to, have exposed the utter injustice of the second charge. The word *ανθεστηκεν* was not inserted, because the previous remark had no bearing on its exegesis.

* Carson's Review, pp. 66, 67.

more ; but to the displeasure of “ God, who, after he has killed the body, can cast both soul and body into hell fire.”

PART I.

A second powerful enforcement of the duty of civil obedience is brought forward in the second clause of the second verse, and illustrated in the third and fourth verses, “ And they that resist shall receive to themselves damnation.” There is but one opinion among qualified judges as to the impropriety of the translation of the last word in this clause. The word (*κριμα*) means judgment. It often signifies an unfavourable judgment, and by a common figure of speech comes to be used for *punishment*. Of this use of the word many instances occur in Scripture.* It is difficult to free our courtly translators from the suspicion that they used the strongest word the language contains—a word which was even then, though not so exclusively as now, applied to express the final state of the hopelessly wretched in hell,—to please that weak and wicked king, to whom, under the title of “ the Most High and Mighty Prince,” they dedicated their labours, and who is recorded to have expressed his indignation in a very remarkable way against a famous German divine, for the freedom of speech which he had used in interpreting this chapter. This is not a solitary instance in which our excellent translation is less excellent than it might have been, than it would have been, but for this cause.† The version would have been objectionable in any circumstances, but it is much more so if, as we ap-

Second reason for civil obedience. The punishment incurred by disobedience.

* Rom. iii. 8 ; 1 Cor. xi. 29 ; Gal. v. 10. † Vide Note XII.

PART I. apprehend to be the case, the apostle be referring to the punishment inflicted by the Roman magistrate; or if to punishment inflicted by God, to the punishment inflicted by the Roman magistrate as his “minister to execute punishment on him that doeth evil.”

True construction of this clause.

I have already, in my preliminary remarks, observed, that by many—by most interpreters, this clause is connected with that immediately preceding it, and the third verse is considered as the statement of a new reason for obedience, derived from the design and operation, either of well constituted civil government, or of the Roman government. Had the second verse not been immediately followed by the third, this mode of division would probably have been the right one; but when we consider that the apostle in summing up his argument, represents it as consisting not of three, but of two parts—an appeal to conscience, and an appeal to fear; when we find the statement before us immediately followed by another statement, which is just an illustration or proof of this; when we find this statement introduced by a connecting particle, *γὰρ*, *for*, the proper and ordinary force of which is that what follows is a reason for, or a proof of that which goes before; and when we find this particle repeatedly in this very paragraph used in this way, I apprehend there can be no reasonable doubt, that our interpretation exhibits the true logical construction of this passage.*

We proceed, then, to its illustration on this

* Vide Note XIII.

hypothesis. “And they that resist shall receive to themselves punishment,”—or, “on the other hand, they that resist shall receive to themselves punishment.” Not only will they offend God; and draw on themselves his vengeance, but violating the laws, they will bring down upon themselves their penalty. The illustration or proof of this follows, and is substantially, The Roman government is a strong and active one—the only way to avoid its vengeance, is to obey its laws. “For rulers are not a terror to good works, but to the evil: wilt thou then not be afraid of the power? do that which is good, and thou shalt have praise of the same. For he is the minister of God to thee for good; but if thou do that which is evil, be afraid, for he beareth not the sword in vain: for he is the minister of God, a revenger to execute wrath upon him that doth evil.”

These words have very commonly been interpreted of rulers generally. What they state is true of all civil rulers acting in accordance with their office, but it is obvious that the direct primary reference is to the Roman rulers, “the higher powers,” “the powers that be.” The appellation *οἱ ἀρχοντες*, occurring at the beginning of a discussion, might mean, probably would mean, rulers generally. In the midst of a discussion about rulers, it naturally refers to the rulers spoken of, and it would require very strong evidence to make us believe that it could refer to any thing else. Besides, as we have already shown, the apostle is not delivering a discourse on civil

PART I. government; he is stating and enforcing the duties of those to whom he is writing, to *their* governors. "He is a minister to *thee* for good: if *thou* do that which is evil, be afraid. *Ye* must needs be subject." 'If you break the laws, you may lay your account with being punished; for the Roman magistrates are a terror to evil workers, and will punish those who break the laws; and in doing so, they will be but the ministers of the righteous judgment of God.' With this sentiment he mixes up another and a closely connected one, 'The only way in which you can expect to live safely under such a government as the Roman, is by quietly submitting to the laws.' "The rulers are not a terror to good works, but to the evil."

Restricted
meaning of
"good
works."

To be "a terror not to good works but to the evil," is just to be a reasonable object of alarm, not to those who practise good works, but to those who practise evil works. The "good works," the doers of which had no cause to be afraid of the Roman magistrates, must obviously be confined to that class of good works which, in the estimation both of the apostle and of the magistrates, deserved that appellation. The term is plainly not to be understood in the unlimited way in which it is used, when the apostle exhorts Titus to bring frequently before the minds of his hearers the grand peculiarities of Christian doctrine, (*iva*) "in order that they which have believed in God might be careful to maintain good works;"* or when he prays that the God of peace may make the Hebrew

* Titus iii. 8.

Christians “perfect in every good work, to do his will.”* It clearly refers to the great body of those actions required by the Roman laws, which, as in the case of the laws of every civil government, were good—actions necessary to the order and peace of society. There can be no doubt, that though at this period the imperial power had not yet sanctioned the persecution of Christianity, the great majority of the Roman magistrates were hostile to that religion. Some of them were infidels as to the popular faith, but not on that account more favourable to Christianity; others were bigotted and superstitious polytheists and idolaters; all of them regarded with dislike and contempt, those who denied and disregarded the *licita religio*, the established religion of the empire, and who condemned every creed and mode of worship but their own as false and fatal. But the laws of the empire were favourable, like the laws of all civilized states, to the peaceable subject, and armed with penalties against the disobedient and rebellious.

Indeed, the restriction of the meaning of the phrase in the way proposed, is equally necessary to make it accord with the truth of the fact, and with the argument of the apostle—with the truth of the fact, for already clear enough intimation had been given that the Roman government was likely to be a terror to Christians, in doing the good works of their Christian profession, and not a terror to those who were disposed to persecute them for doing these good works;—with the apos-

Necessity of
this restric-
tion.

* Heb. xiii. 21.

PART I.

tle's argument, which is, "They who resist shall receive punishment, FOR the rulers are a terror not to good works but to the evil,"—thus identifying the evil works with resistance, and the good works with obedience or non-resistance.* This, then, is the apostle's statement. The Roman magistrates, in the administration of their office, are a reasonable source of alarm, not to those who obey the law, which, generally speaking, is not only in their estimation, but in reality, a good thing,—but to those who disturb the peace by resisting the law, which, generally speaking, is not only in their estimation, but in reality, a bad thing.

Without this limitation, it is impossible to suppose that the apostle (who, judging from the signs of the times, as well as under the guidance of a prophetic spirit, well knew that Christians, for rejecting idolatry and renouncing its polluted feasts, and worshipping the true God according to his appointment, and teaching the truth to others—all good things—very good things, would be punished by the Roman magistrates, while they who persecuted the unoffending Christians to the death with the greatest injustice and cruelty—certainly a very bad thing—would be applauded and rewarded by them) should have made the statement that these "rulers were a terror not to good works, but to the evil," while, with the limitations referred to, the statement is quite accordant with fact, and just the statement the apostle's object required. Under the Roman

* Vide Note XIV.

government, as indeed under every order of things PART I.
 which can be called civil government, the quiet
 orderly citizen was safe, while the lawless and
 disobedient was exposed to danger.

The apostle proceeds to apply this statement to the object in view, the enforcing obedience to the Roman government on those to whom he was writing. “Wilt thou then not be afraid of the power? do that which is good, and thou shalt have praise of the same.” Would you wish to live secure in the possession of property and life, under the Roman government? “do that which is good,”—be a peaceable subject. This is the only way of escaping the danger which so formidable a power threatens to all who oppose it. He intimates that by taking this course they might even “have praise” from “the power.” The meaning of the word “praise” here, may be learned from the parallel passage in the first Epistle of Peter, where inferior magistrates are represented as “sent” by the king or emperor “for the *punishment* of evil doers, and for the *praise* of them that do well.”* It plainly denotes that protection and encouragement which, as Bishop Sherlock justly remarks, “are the only proper rewards which good subjects can expect from their governors.”†

This statement as to the Roman government protecting Christians if they peaceably obeyed

Roman government a protection to the Christians.

* 1 Peter ii. 14.

† Sherlock's Discourses, vol. iii. p. 314, 12mo. Edin. 1774. Some very good remarks on the impossibility of rewards, properly so called, being a sanction of civil government, are to be found in *Warburton's Alliance*, pp. 21–26.

PART I. the laws, is confirmed by the declaration, that the Roman government was not only, as he had already stated,—the ordinance of God to them, but also “a minister of God” to them “for good.” The security which they possessed as to life and property under the Roman government, when compared with the danger as to both which exists in a state of anarchy, was a great blessing. Of that, as of every blessing, God was the author, and the Roman magistrate was his minister. I think it not unlikely that the apostle had a particular reference to the fact,—that till persecution commenced, the Roman magistrates, however they might despise and disapprove of the Christians, were, in preserving the public peace, their protectors against the Jewish assassin and the Pagan mob. But for a regular government, the primitive Christians would have been torn to pieces as by wild beasts.

The apostle very probably had before his mind the instances in which “the power,” the Roman magistrate, had been the “minister of God” to himself “for good.” It was a Roman magistrate, Gallio, who refused even to enter on the consideration of a charge against him by the Jews at Corinth, when he understood that it referred not to “a matter of wrong or wicked lewdness,” but to what he called “a question of words, and names, and of their law.” It was an authority under the Roman government which did him a similar favour at Ephesus. It was a Roman military magistrate who rescued him from the fury of the populace, and secured him from the feller

purpose of sworn conspirators at Jerusalem. It was a Roman governor who, however imperfectly he performed his duty to him, preserved him from the murderous designs of his countrymen, and protected him in the important right of appeal.* From his own experience he could say, "The power is a minister of God" to Christians "for good;" and, following his example of peaceable submission to the laws, the Christians of Rome might expect to meet with similar "rewards" for their "good work."

On the other hand, if they, by conspiracy and revolt, disturbed the public peace, they might lay their account with punishment; and if they met with it, it would be no more than they deserved. "But if thou do that which is evil, be afraid; for he beareth not the sword in vain." "That which is evil" must be understood with similar limitations as the phrase contrasted with it. The Christians might do many things that were evil, without at all exciting the displeasure of the Roman magistrates; aye, to do what was in the highest degree evil—to return to idolatry, was the readiest way to obtain praise of many of them. But if the Roman Christians, by being disobedient subjects, did that which was, in the estimation of both the apostle and the Roman magistrates, "evil," they had good cause to be afraid. Punishment severe and certain and sudden, was likely to overtake them. "*He*," the Roman magistrate, "beareth the sword," and "he beareth" it "not in vain." The Roman emperor, and some of the subordinate magistrates, wore a small sword

PART I.

Would punish them if insubordinate.

* Acts xviii. 14; xix. 35; xxi. 31; xxiii. 12-23; xxv. *passim*.

PART I. or dagger, *pugio*, as a part of their official dress ;* an emblem of their having the power of taking away life. The apostle's statement is, The Roman magistrate has the power to take away life, and is not slack to use it. The Roman government is a powerful and active government.

In doing so
would be
God's minister.

In the following words the apostle states that, in his estimation, as a divinely inspired messenger, the exercise of the power to punish, of which the Roman magistrates were possessed, in the case of those Christians who should "resist the power" and do "that which was evil," in plotting or rebelling against the government, was a worthy exercise of it; and that, in thus employing it, he was equally God's minister as in protecting the peaceable and orderly. "He is the minister of God, a revenger to execute wrath upon him that doeth evil." The word translated "wrath," (*οργη*), properly signifying violent commotion of mind—as anger, is frequently in the New Testament, and obviously here, used to signify punishment, the effect of such mental excitement.† One of the most judicious of the Fathers says, "He calls punishment, wrath."‡ The clause would more completely answer to that to which it is obviously antithetic, by a slight transposition, and supplying one word from the former clause. "He is a minister of God *to thee* for punishment, an avenger of him that doeth evil." As in the former case, they would enjoy security—this would come from

* Sueton. in Vitellio. xv. Galba. xi. Tacit. Hist. iii. 68. Aurel. Vict. de Cæsar. xiii.

† Rom. iv. 15; ii. 8; iii. 5; v. 9.

‡ Theodoret.

God, and in conferring it the Roman magistrate PART I.
 would be his minister; so in this case, they would
 be punished—this punishment would indeed be
 from God, and in inflicting it the Roman magis-
 trate would be his minister.

This was stating the sentiment in the way most fitted to give it weight with those to whom it was addressed. Their scruples about obedience were grounded on the Roman magistrates not being “of God.” Now, says the apostle, they are “of God;” and instead of your securing his approbation by resisting them, it is *He* who will punish you by their instrumentality. Such is the force of the second argument. They who resist the Roman government, shall receive to themselves punishment. That government which, in protecting the peaceable, is a minister of God for good—is armed with the power of punishing the disorderly and rebellious, and is disposed to use it; and should it ever, in the case of any of you, be exercised on account of conspiracy or rebellion, it will be properly exercised: you will meet with but what you deserve, and the Roman magistrate will only inflict on you a part of that punishment which the Supreme Ruler accounts your due.

“The conclusion of the whole matter” is to be found in the sixth verse: “Wherefore ye must needs be subject, not only for wrath, but for conscience’ sake.”* Recapitulation. It is necessary, the apostle states,

* These words are well interpreted in the Saxon confession.
 “Magistratui politico subditi debent obedientiam, sicut Paulus inquit, ‘non solum propter iram,’ id est, metu pœnæ corporalis.

PART I. that they should be subject—*i. e.* plainly to “the higher powers—the powers that be—the power—the rulers,”—in one word, the Roman government in all its functionaries; and it is necessary that they be subject on two accounts,—on account of “wrath”—of the punishment, the merited punishment, which an opposite mode of conduct was sure to bring upon them; and not only on this account, but for a higher reason—on account of conscience, from a regard to the divine authority interposed in this matter, not merely in the evidence that forces itself on every thinking mind that civil government is in accordance with the divine will, but also in the clear, and, but for the glosses of interpreters of subsequent times, we should have said, the unobscurable revelation of his will, by an inspired apostle, in the plainest and most unambiguous language, assuring them that the Roman government was to them a divine appointment.

Such is the meaning—such, so far as I have been able to discover it, is the whole meaning of this much controverted passage. It is a strong assertion and enforcement of the duty of civil obedience on the Christian Romans. The whole passage is an answer to the question, Are Christians subject to the authority of a government administered by heathens? And the answer is a very strong affirmative.

quâ adficiuntur contumaces ab ipsis magistratibus, ‘sed etiam propter conscientiam,’ id est, contumacia est peccatum offendens Deum et avellens conscientiam a Deo.”—Corpus et Syntagma Confessionum, Pars ii. p. 91, 4to. Gen. 1654.

There is another question of kindred character and similar importance—Were there any limits to this obedience which was due to the Roman government, and if so, what were they? to which this passage is not intended to give an answer, on which indeed it gives little information, except that the obligation would appear to be very extensive; and it seems intimated, that it was only in doing what was “good,” both in the apostle’s estimation and that of the Roman government, that they were to seek to avoid its wrath and secure its praise. The question, however, was obviously a very important one; and the primitive Christians were by no means destitute of the means of satisfactorily resolving it.

PART I.

Had the command of civil obedience any limits to the Roman Christians?

It need scarcely be remarked, that the circumstance that a law, whether divine or human, is expressed in unlimited terms, does not by any means infer that it admits of no exception: nor is it at all necessary that where there are exceptions, these exceptions should be all, or indeed any of them, specifically mentioned.* In reference to scriptural injunctions, there are clearly stated in the inspired volume general principles of truth and justice, in a consistency with which all particular precepts must be interpreted; so that we are warranted to say of any particular precept, however clearly proved to be a divine

Precepts unlimited in terms, often to be understood with exceptions.

* “It is a rule owned by all that—every general rule in any place, is to be limited by an exception unto it in any one [other] place whatever; and there is scarce any general rule, but admitteth of an exception.”—*Owen on Marrying after Divorce—Collection of Sermons, &c.*, p. 574, folio. Lond. 1721. Vide Dr Campbell’s illustration of this sentiment, Note xxiv.

PART I. one, that any meaning which can be brought out of it which contradicts these principles, cannot be the true meaning. For example, there is a precept in the Jewish law, which, at first sight, seems not merely to authorize, but to require human sacrifices.* The passage admits of satisfactory explanation; but though it did not, the great principles with regard to the divine character and will, so clearly stated in Scripture, would warrant us to say, that any meaning which sanctions human sacrifice cannot be the true meaning. There may be cases in Scripture where the only way of fixing the limits of a precept, expressed without exception, yet obviously intended not to be universal, is by appealing to such principles—which is indeed just one way of making Scripture its own interpreter; but in the great majority of cases of the kind, we have either exceptions specified in other parts of Scripture, or we have the example of those whose conduct is either law, or the undoubted explication of law. These principles, the soundness of which is universally admitted among intelligent interpreters, of either divine or human law, I have thought it right to state, as we shall probably have occasion in the sequel more than once to refer to them.

The question answered in the affirmative.

To the question, Were there limits beyond which the Roman Christians were not merely not bound, but not permitted to obey the Roman magistrates—in other words, Is this precept, though unlimited in its language, to be understood with exceptions, I apprehend that so far as *active obe-*

* Levit. xxvii. 28, 29.

dience is concerned, no man will *now* dare to give a negative answer. Considering that question as settled, I go on to inquire, What were the limits of the Roman Christians' active obedience to the Roman magistrates? What are the exceptions with which the unlimited precept must have been understood by them?

The first set of exceptions is marked by a clear and broad line. It includes all acts required, or which might be required, by the Roman government, inconsistent with the divine law. In this case, the primitive Christians were not only not bound to obey, but they were bound not to obey. It has been justly remarked, that "whether we should obey God rather than man, can never be seriously made a question by common sense, any more than by piety."* The relation which subsists between man and God is earlier and closer and more permanent than that which can exist between subjects and magistrates. When the claims of the latter clash with those of the former, there can be no doubt which must give way. As Hall has finely expressed it, "The two obligations are not equipollent—the former is essential, invariable, and paramount to every other."†

First set of exceptions—acts forbidden by the divine law.

* Dwight.—"The authority of kings over our outward man, is not so absolute but that it suffers a great restraint. It must stretch no farther than the prince of our inward man pleases; for if secular princes stretch out the skirts of their authority to command ought by which our souls are prejudiced" (a plain allusion to Polycarp's expression quoted in Note. xv.), "the King of souls hath in this case given us a higher command, that we rather obey God than men."—*Hales' (of Eton) Works*, vol. ii. p. 302. Glasgow, 1765.

† The truth on this subject has seldom been more clearly and

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On this principle the apostles themselves acted. When the Jewish magistrates “commanded” Peter and John “not to speak at all, nor teach in

forcibly spoken than in a little book, entitled “*Vindiciæ contra Tyrannos : sive de principis in populum, populi in principem, legitima potestate*,” published in 1579, under the assumed name of *Stephanus Junius Brutus Celta*, purporting to be printed at Edinburgh, but bearing strong internal marks of having proceeded from some French or Swiss press. The first question discussed is, “An subditi teneantur aut debeant principibus obedire, si quid contra legem Dei imperent?” The opening of the reply is very admirable, “Videbitur fortasse prima fronte hæc quæstio plane otiosa et inutilis, qua nempe Christianorum axioma certissimum, tot scripturæ sacræ testimoniis, tot seculorum exemplis, tot piorum Martyrum rogis comprobatur, quasi etiam nunc controversum in dubium vocari videatur. Unde etenim, dices, tot tantæque piorum ærumnæ, nisi ex una hac causa, quod Deo simpliciter et absolute, regibus quatenus adversus legem Dei nil imperent, obtemperandum esse perpetuo judicant? Quorum vero alioqui apostolorum responsum, ‘Deo magis, quam hominibus parendum esse?’ Deinde, cum sola unius Dei voluntas perpetuo justa sit, ceterorum injusta subinde esse possit; quis ambigat, quin illi uni absque ulla exceptione, his cum aliqua semper exceptione parendum sit * * * * Docent sacræ literæ, Deum suapte auctoritate regnare, reges quasi precaria: Deum per se, Reges per Deum: Deum jurisdictione sua uti, Reges delegata tantum. Sequitur itaque, Dei immensam esse jurisdictionem, Regum dimensam: Dei infinitam potentiam, Regum præfinitam: Dei regnum nullis limitibus circumscriptum esse, Regum contra certis regionibus regi certis cancellis terminari,” pp. 1, 2, 5, 6. The remarkable little book, from which this citation is made, and which has much in common with our countryman Buchanan’s admirable “*Opusculum*,” “*De Jure Regni apud Scotos*,” has been ascribed to a great variety of authors, some of them of very great name, and it would not dishonour the greatest of these names. It has been ascribed to Philip de Mornay, the Knight of Plessais—to Francis Hotoman, whom Milton styles “et Gallus, et jurisconsultus, et vir doctissimus”—to Hubert Languet, Sir Philip Sidney’s correspondent—to Theodore Beza—to Isaac Casaubon, *τον πανν*—and, in fine, to John Crell, one of the most learned of the early Socinians.—Vide *Thomæ Ruddimanni præfat. ad Buchanani Opera*. Folio Ed. 1715.

the name of Jesus," their unhesitating answer was, "Whether it be right in the sight of God to hearken unto you more than unto God, judge ye." And accordingly they took the first opportunity of doing what the magistrate had prohibited them from doing.* On an after occasion, when called to account by the Sanhedrim for their disobedience, "Peter and the rest of the apostles answered and said, We ought to obey God rather than men."†

The primitive Christians trod in the steps of their inspired leaders. When they were commanded to enter heathen temples—to burn incense on heathen altars—they respectfully, but obstinately refused. They had not learned to make the nice distinctions which, on an analogous subject, some have made, and acted on, in later times. They did not say, there is nothing either moral or immoral in walking in a particular direction—in going into any house—in taking in the hand a portion of any substance, and casting it into a fire kindled on any place. These are indifferent actions; the civil authority commands them,—why should I not obey it? But like single-minded, simple-hearted men as they were, they said—That house is a temple dedicated to the honour of a usurper of Jehovah's prerogative—that fire burns on the altar of a demon—and to cast incense on it, is understood to be wor-

The ascription of this book to these distinguished men shows, that in the judgment of their cotemporaries, they were considered as holding substantially the opinions maintained in it.

* Acts iv. 18, 19.

† Acts v. 29.

PART I. ship, and it is only because it is understood to be worship that it is required of us: we will die sooner than comply with the imperial mandate. And in thousands, and in tens of thousands, they did die.*

Second set of exceptions—illegal commands.

Another class of exceptions from the apparently unlimited command of obedience to the Roman magistrate, here imposed on the Roman Christians, includes in it illegal commands and exactions. When compliance with these did not imply sin on the part of him who yielded it, he was not morally bound not to obey or submit, but neither was he morally bound to obey or submit. It became a question, not *directly* of conscience, but of expediency,—though *indirectly*, like almost all questions of expediency, it might become a question of conscience. The principle is a general one, and as applicable to the primitive Christians as to any other class of persons. “Subjects are not bound to obey the commands of magistrates when they are not warranted by law. The law creates magistrates, and defines all their powers and rights: whenever they require that which is not warranted by law, they cease to act as magistrates, and return to the character of mere citizens. In this character they plainly have no authority over their fellow-citizens. It is not the man, but the magistrate, whom God commands to obey.”†

When illegal demands were made on the Apostle Paul himself, he did not tamely submit to

* Vide Note XV.

† Dwight's Theology, vol. iv. p. 147. Lond. 1822.

them. When the chief captain, a Roman military authority, had given orders to have Paul scourged, instead of immediately baring his back, he, with the dignity of a free man, pleaded his rights: "Is it lawful for you," he said, "to scourge a man that is a Roman, and uncondemned?"*

When Ananias, the high-priest, commanded him to be smitten on the mouth, did he silently endure the opprobrious and illegal injury? "God shall smite thee," said he, "thou whited wall; for sittest thou there to judge according to the law, and commandest me to be smitten contrary to the law?"† When the magistrates of Philippi had commanded Paul and Silas to "be beaten with many stripes, and cast into prison," and, satisfied with their illegal infliction, sent next day to the jailor to set them at liberty, instead of thankfully receiving his liberation as a boon, or even quietly complying with a request of his superiors, he showed his abhorrence of illegal violence, by nobly exclaiming, "They have beaten us openly uncondemned, being Romans, and have cast us into prison, and now do they thrust us out privily? nay verily; but let them come themselves and fetch us out."‡

There is yet a third class of exceptions from the general law of obedience to the Roman government, imposed on the primitive Christians. It includes all cases in which the magistrates, though not acting illegally, *i. e.* in direct opposition to the law, went beyond the limits of civil

Third set of exceptions—
matters beyond the limits of civil authority.

* Acts xxii. 25.

† Acts xxiii. 3.

‡ Acts xvi. 35. Vide Note XVI.

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authority, and interfered in matters that no way pertained to them. The most remarkable instance of this is to be found in their interference with religious concerns. Few will deny that the heathen Roman government had nothing to do with the religious opinions and usages of the Christians, except so far as these might interfere with the peace or good order of civil society. On this ground, as well as on the higher ground that all compliance with such interference was inconsistent with their duty to their Divine Master, they were warranted to disregard all the religious legislation of their Roman rulers, and all the sentences founded on that legislation. The Government of Rome, like all civil governments, had for its province the administration of men's civil affairs—the advancement of their civil interests. That was its appropriate province, and beyond that it had no legitimate power. If the inquiry be made, who was to judge respecting these limitations? the answer is a very obvious one—every Christian for himself; and he must take the consequences which flow from his decision. Such, I apprehend, are the limits within which the command, which is the subject of consideration, was obligatory on those to whom it was originally addressed.

The Christian Romans bound, in no case to resist the government.

There is but one question more that must be put and answered, in order to a full view of the duty of the Roman Christians in reference to the Roman government. When duty, or when expediency dictated to Christians not to comply with the commands of magistrates, what were they to

do then? Were they quietly to submit to the punishment the magistrate chose to inflict, or were they authorized to combine together, and endeavour to subvert the government? To this question there can, I apprehend, be but one answer given. They were bound to submit, allowing no proper opportunity to pass, however, of showing that they considered themselves illegally treated, if they were illegally treated—that they considered themselves unjustly treated, when they were unjustly treated.

The uniform conduct of the primitive Christians makes it evident that they thus understood the apostolic injunction. Their obligation to act in this manner, however, seems to me not to have originated in the general command to be subject to civil government; but conjointly, in the express declaration made to them by an inspired apostle, that the Roman government, whatever were its defects and faults, was yet God's ordinance to them, and that they could not resist—could not take any measures to disarrange that system, without violating his law and incurring his displeasure; and in the circumstances in which they were placed, as a small body, many of them foreigners, possessed of no constitutional influence in the government, which was administered by heathens. Either of these would have made it their duty to submit to whatever the government might inflict, rather than to do any thing tending to conspiracy or rebellion. The law to them was clear and explicit; and had it not been so, it is plain that any attempt to act otherwise than it

PART I. dictated, would have brought sudden destruction on themselves and their brethren, and placed most powerful barriers in the way of the propagation of their most holy faith. It must not, however, be supposed that Jesus Christ, by his apostle, deprived those Christian Romans of privileges which belonged to them as members of civil society. He only, in the express command of his inspired messenger, pointed out to them the precise path which, in their circumstances, an enlightened regard to their rights and duties, as members of civil society, would have urged them to pursue.—I have thus finished the answer to the question, What were these things to *them* to whom they were originally delivered?

What are
these things
to us?

Our attention must now be turned to a question, if possible, of deeper interest and importance: ‘What are these things to us and to Christians generally, in every country and in every age?’ That we have a concern in them there can be no doubt, “All Scripture *is* given by inspiration of God, and is profitable for doctrine, for reproof, for correction, for instruction in righteousness.”* What the apostle says of the Old Testament Scriptures, in reference to the primitive Christians, is equally applicable to the whole contents of the completed book of God, to us and to all who shall come after us: “Whatsoever things were written aforetime, were written for our learning.”† It is an important part of the duty of

* 2 Tim. iii. 16.

† Rom. xv. 4.

“ the man of God,” to show how particular parts of inspired Scripture conduce to “ doctrine, and reproof, and correction, and instruction in righteousness,”—*how* “ the things which were written aforetime” are fitted “ for our learning.” PART I.

In the discharge of this most responsible function of my office, I am now about to engage. The principles that are here laid down have the same claim on our belief, and the precepts promulgated, the same claim on our obedience, as they had on the belief and obedience of the Christian Romans, except so far as it can be made out satisfactorily that the precepts must be modified in their application to us, by a consideration of the peculiar circumstances in which they were, and we are, placed, as statements made with regard to the duty of “ servants under the yoke,” must be modified if applied to servants who are by civil privilege, as well as natural right, as free as their masters. It ought to be a matter of as firm faith to us as to the Roman Christians,—“ that there is no power but of God,”—that “ the powers that *were*” when the apostle wrote “ were ordained of God,”—that the Roman government was what it is here represented to be, and had the rights which are here ascribed to it, and that to that government Christians who lived under it were bound to be subject, both for “ wrath and for conscience’ sake.” This is the doctrine of the passage, and we ought to hold it as one of the things “ most surely believed among us.” Reply as to doctrine.

With regard to practical instruction, it obviously teaches us, that Christians, in all countries Reply as to practice.

PART I. and ages, should respect and obey the civil government under which they live,—that a Christian who follows a course which tends to anarchy, acts a wicked as well as an inconsistent and foolish part—that no Christian is warranted to disturb a settled civil government, because it is not, in its form and administration, so good as he could desire it—that, for example, the Briton who glories in the mixed government of his country, must not, on going to America, conspire or rebel against its republican institutions—that the American, who is at least equally proud of what he counts the pre-eminent freedom of the constitution of his country, must not, on coming to Britain, either secretly or openly, seek to subvert its government—that neither of them going to Turkey or to China, should act the part of a ringleader or promoter of sedition—and that all Christians, placed in the same circumstances in reference to the government under which they live, as the primitive Christians were in reference to the Roman government, are bound to act not only on the same general principle, but in precisely the same way. A Christian individual, or a body of Christians, living under a Pagan or Mohammedan government, are bound to obey those governments as far as their enlightened consciences will permit. They are quietly to submit to such sufferings, as the government may inflict on them, for their non-compliance with what they account sin; and they are to do nothing to unsettle the government, except by the dissemination of the doctrines and laws of Christ, which sooner or later

will, by their moral power, either improve or de- PART I.
 stroy all the secular governments on the face of
 the earth.

This, I think, is nearly the amount of the practical instruction, of a general kind, which the passage furnishes. It naturally enough indeed suggests the thought, along with an irresistible sense of its justice,—if the Roman Christians were called on to yield cheerful obedience to an arbitrary government, at the head of which was a Claudius or a Nero, with what thankful readiness should we perform our duties to a civil government, which, though not perfect, has within itself the means of indefinite improvement, and which, even in its present state, certainly answers the ends of civil government in a degree in which they have very seldom been realized!

But very readily admitting all this, we must still hold that this passage does not directly teach the divine ordination of any particular existing civil government. It teaches us, indeed, that civil government in general is of divine appointment, in the sense in which that expression has been explained; but as to any particular government being God's ordinance to any particular individual or nation, that is to be inferred from a variety of circumstances. The truth on this subject cannot be more correctly stated than in the cautious words of Dr Paley: "It is the will of God that the happiness of human life be promoted. Civil society conduces to that end. Civil societies cannot be upholden, unless in each the interest of the whole society be binding on every

The divine
ordination of
any existing
government
not directly
taught.

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part and member of it. So long as the established government cannot be resisted or changed without public inconveniency, it is the will of God that the established government be obeyed.”* The Roman Christians were directly informed that the Roman government was God’s ordinance to them. We have not the same means of judging of any particular government, whether it is God’s ordinance to us. We have sufficient means, however, of ascertaining this point; and when, by their use, we have come to the conclusion, that the government under which we live is so, the obligation to obedience rising out of the apostle’s declaration, binds our consciences as fast as it did theirs.

Our obligation to obey our government.

Happily for us, there is no difficulty in coming to a determination. Our civil constitution is based on so many just principles—is, upon the whole, so well administered—and contains such a deep-seated and powerful spring of improvement, that we can have no reasonable doubt that it is the ordinance of God to us; while, on the other hand, the ruling power in this country, supported as it is by the approbation of the principles on which it is founded by the great body of the subjects, is so powerful, that to think of *resisting* it, would not only be highly criminal, but folly almost amounting to madness. To this government we owe obedience; and I have no doubt that the voice of God to us, in reference to it, is, “Let every soul be subject unto the higher powers.”

* Paley’s Moral Philosophy, Works, vol. i. p. 318.

It is obvious, however, as we have already seen, PART I.
 that the obligation to obedience to any human This obligation not without limits.
 government, even to the one expressly declared
 by an apostle to be ordained of God, has limits.
 “To pretend,” says Bishop Burnet, “that we owe
 our princes obedience without reserve, is profane
 and impious. The laws of God, the King of
 kings, are reserves upon our obedience, to those
 whose highest dignity it is that they are ministers
 deputed by him. It is a reproach to all religion,
 and indeed a professed throwing it off, to any
 who pretend to be Christians, to contradict this
 so flatly as to assert an obedience to any human
 authority without reserve. The more solemnly
 and publicly this is done, the reproach is the
 deeper. For it is the open preferring ‘the crea-
 ture’ to ‘the Creator, God blessed for ever.’ Sub-
 jects are only bound to render to princes what is
 theirs; that is, the rights vested in them by law,
 custom, and constitution, and no more. And if
 we are only bound to render them what is *theirs*,
 then if they should demand what is *not theirs*,
 but is by the most strict possible provision still
ours, such as the liberty of our persons, the pro-
 perty of our estates, and the observance of our
 laws” (the good Bishop might have added, our
 conscientious convictions, and our immortal hopes),
 “we are certainly not bound to render them
 these, because, in a constitution like ours, no
 prince can call them *his*. We may preserve
 them as from robbers, so from all illegal and vio-
 lent invasion. Warrants and commissions in such
 cases, are null and void of themselves.”*

* Burnet's Sermon on Matthew xxii. 21. pp. 5, 6.

PART I.

First limitation—by the divine law.

But let us examine a little more closely the *extent* of the limits within which submission to our government or to any government is obligatory. The *existence* of such limits will scarcely be denied in so many words in our times. And first, then, it is obvious that no civil enactment can ever make void the laws of God—can ever make that sin which He makes duty, or that duty which He makes sin. “No human sovereign,” Richard Baxter says, “hath authority to forbid what God commands, nor to command what God forbids; but their laws that are notoriously contrary to the laws of God, are nullities, and cannot oblige to obedience or punishment. A constable may a thousand times more excusably pretend authority against the king, or independent of him, than a king can claim authority against God, or independent on him. There is no power but from God; God giveth none against himself. All laws or commands of men are null and void of true obliging authority, which are against his laws. They are not words of authority but of rebellion or usurpation, that command us to disobey the God of heaven. To resist such a command is not to resist an act of power, but of usurpation. For there can be no power without, much less against the fountain of all power, the universal Sovereign. It may be, this is the meaning of the schoolmen and politicians, that say, ‘It is no law that is unjust, and of Augustine who makes justice essential to the commonwealth.’”*

To illustrate this by example:—If the government were requiring its subjects (as some

* Baxter's Holy Commonwealth, pp. 379, 380.

of its subordinate agents, not long ago, did in a foreign country, and unhappily had their conduct sanctioned by the commander-in-chief and a majority in the House of Commons*), to take a part in idolatrous worship, they not only are not bound to obey, but they are bound to disobey such a command. Should the government engage in the prosecution of enterprizes opposed to the law of God, and require me directly to support them, I am bound to refuse. Should they engage directly in a trade, which they too long sanctioned, and send our ships of war as slavers, to the coast of Africa, would it be consistent with my duty to serve as a sailor aboard one of these ships, or, which as we will by and by see comes to the same thing, pay a tax, levied avowedly for the purpose of supporting this service? If government, in making and executing laws in reference to the church of which Jesus Christ is sole Lord and King, usurp his place, can any Christian taking this view of the government's conduct, actively support such an usurpation?† And what other view can an enlightened Christian take of it? Is not Jesus Christ the sole King and Head of his Church? Who has right to legislate in her, or about her, but himself? To whom has he delegated the power given to him by the Father? Can a Christian safely, in any way, show his approbation of a principle, which is indeed the soul of "the Man of Sin"—of a system the very foundation of which, is permitting human authority to take the place of the autho-

* Vide Note XVII.

† Vide Note XVIII.

PART I. rity of Christ—by adding to, and taking from his institutions?

Second limitation—by the law of the land.

The second class of limitations to the obligation of civil obedience, refers to cases in which the magistrates, of whatever grade, act illegally. Where the illegality is clear and obvious, it is plain that the subject is not bound to obey. In some cases, though not bound to obey, he may find, on the principle that it is our duty in matters not of absolute obligation, to do what is upon the whole for the best, that he may obey—that he ought to obey—though scarcely in any case, without distinctly showing that he is aware of the illegality, and protesting against it. The man who tamely and silently submits to injustice from an inferior magistrate, betrays the general cause of good order. He is a bad citizen, and not even a good subject. He obeys or submits to an inferior power, acting in an unauthorized manner, in preference to “the higher powers” of the law. If even the first magistrate of this kingdom—God bless and protect the Royal Maiden, and shed on her abundantly the healthful influence of his Spirit and the saving blessings of his grace, as “the dew of her youth”—if even she were doing what some of her predecessors have done to their cost, but which neither her character nor her principles give us any reason to fear she will ever attempt—should Queen Victoria attempt to do that by proclamation, or direct warrants, which the constitution says ought to be done only by the legislature, her subjects would not in such a case be bound to obey her, and her best friends, with all their af-

fection for her person, and reverence for her office, would be the first to declare that they would not. PART I.

The third class of limitations of the obligation of civil obedience, embraces all cases in which the magistrate leaves his proper province, and interferes in matters with which, as a magistrate, he has nothing to do.* The object and design of

Third limitation—by the nature and design of civil rule.

* The original Scottish reformers state the truth on this subject very accurately, in “the Confession of Faith,” drawn up and laid before Parliament in 1560. “Sik as resist the supreme power, *doing that thing quhilk apperteinis to his charge*, do resist Goddis ordinance,”—though they show how sadly they misapprehended what appertained to the magistrate’s charge—by the following statement in the same document,—“mair over to kings, princes, rulers, and magistrates, wee affirm that chieflie and most principallie the conservation and purgation of the religion apperteine; so that not onlie are they appointed for civil policie, but also for maintenance of the trew religion, and for suppressing idolatrie and superstitioun whatsoever.”—*The Confession of the Faith and Doctrine, belevit and professit be the Protestants of Scotland*, chap. xxiv. *Dunlop’s Collection of Confessions*, vol. ii. pp. 92, 93. There is a curious mistake in the Latin version of the Scots Confession of Faith, which appears in the “*Corpus et Syntagma Confessionum*,” in 4to, printed at Geneva, 1654, the words, “*doing that thing quhilk apperteinis to his charge*,” being referred not to the magistrate, but to those who resist him, and rendered “*usurpantes quod ad illius munus pertinet*,” instead of “*suum exercentem munus*.” The version in Dunlop’s *Collection of Confessions*, though not literal, gives the meaning, “*Quicumque magistratui in mora est qui minus suum exerceat munus*.”

In perfect conformity with the doctrine of the Confession, that in resisting the magistrate we resist God’s ordinance only when “he is doing that thing whilk perteinis to his charge,” we find Erskine of Dun, in a letter to the Earl of Marr, asserting, that “when the magistrate passes the bounds of his office, and enters within the sanctuary of the Lord, meddling with such things as appertain to the ministers of religion, the servants of God should withstand and resist, and would be unworthy of

PART I. civil magistracy must be understood, to perceive the force and bearing of this remark. Dr Watts states, that “the design of civil government is to

their character if they sacrificed this duty to the wish of conciliating the favour of princes by flattery or acquiescence.”—*Banatyne's Journal*, pp. 278–293. Such passages as we have just cited from the Scots' Confession and from the good superintendent of Angus' letter, are striking illustrations of a fact which must have struck every enlightened student of history, especially ecclesiastical history—that men sometimes strongly and conscientiously hold a general principle, which, if understood in the full extent of its legitimate application, would lead them to abandon other principles, really, though not to them apparently inconsistent with it, and give a decidedly different direction to their practical plans and operations. It would be an interesting and not unfruitful theme of speculation—what would have been the probable consequences, if the reformers had entertained in their full extent, those just views of the spirituality of Christ's kingdom, and the complete distinctness of civil and religious authority, of which glimpses are occasionally exhibited in their works?

It would be difficult to discover in the writings of deep thinking and high-principled men, so many self-contradictory passages as are to be found in the symbolical books of the Reformed Churches, under the head, “De Magistratu;” and in none of them do these self-contradictions stand out in more grotesquely prominent relief than in the standards of our national church. We have looked through the most of those most interesting documents, the confessions of the Reformed Churches, and the view of magistracy in its design and functions most consistent with Scripture reason and itself, that we have met with, occurs in the Bohemian confession, to which our attention was particularly called by observing it referred to by Rutherford in his *LEX REX*, in support of some of the liberal principles asserted in that singular work,—“Docetur apud nos, juxta scripturas, quod sublimior potestas seu Magistratus secularis, Dei ordinatio sit, ut *in iis quæ politica et temporaria sunt*, populus regatur—Sunt autem magistratuum partes ac munus, omnibus ex æquo jus dicere, in communem omnium usum, sine personarum acceptione, pacem et tranquillitatem publicam tueri et procurare. De malis et facinorosis hanc inturbantibus, pœnas sumere, aliosque omnes ab eorum vi et injuria vindicare.—Quod autem attinet ad eas res quæ animarum fideique et salutis sunt, docent, Tantum Dei

secure the persons, properties—the just liberty, PART I.
 and peace of mankind, from the invasions and
 injuries of their neighbours.”* “The common-
 wealth,” says Locke, “seems to me to be a soci-
 ety of men constituted *only* for the procuring,
 preserving, and advancing their civil interests.
 Civil interests I call life, liberty, health and indol-
 ency of body, and the possession of outward
 things, such as money, lands, house-furniture, and
 the like.”† In perfect conformity with this ex-
 cellent divine, and this accomplished philosophi-
 cal jurist, Mr Gib, who so long stood at the head
 of one of the great divisions of the Secession
 Church, states in a very able public document of
 his composition, that “the public good of outward
 and common order, in all reasonable society, unto
 the glory of God, is the great and only end which

verbo ejusque ministris audiendum esse ut Christus ipse ait
 ‘Reddite quæ sunt Cæsaris Cæsari, et quæ sunt Dei Deo.’—Si quis
 autem ipsos, ad ea quæ in Deum sunt, cum verbo ejus quod in
 æternum manet, pugnant et reluctantur, cogere velit, apostolo-
 rum exemplo, qui sic Hierosolymis Magistratui responderunt
 utendum docent, ‘Obedire oportet,’ inquit illi ‘Magis Deo
 quam hominibus.’”—*Confessio fidei ac religionis Baronum et
 Nobilium Regni Bohemæ*, 1535. Art. xvi. *De Potestate Se-
 culari. Corpus et Syntagma Confessionum, &c.*, pars ii. pp. 199,
 200, 4to. Genevæ, 1654. The views of these Bohemian barons,
 so much more just than those of almost all the reformed divines,
 were perhaps influenced by the circumstance that their supreme
 magistrate was a bigotted Roman Catholic. The Confession was
 presented at Vienna to Ferdinand, King of Bohemia and of the
 Romans, brother of the Emperor Charles V. A right view of
 an object depends very much on what the Germans call the
stand-point of the mental beholder.

* Watts’ Essay on Civil Power, in Things Sacred. Works,
 vol. vi. p. 584. Lond. 1811.

† Locke’s Letter concerning Toleration. Works, vol. ii. p. 244,
 fol. Lond. 1751. Vide Note XIX.

PART I. those invested with magistracy can propose, in a sole respect to that office.”*

When the magistrate prosecutes objects not included in the great end of his office, his commands cease to be obligatory. Were our government to undertake to provide the entire inhabitants of their territories with the necessaries of life—were they to insist on regulating the measure in which each individual was to be furnished with them—were they to do universally what they have sometimes done in particular cases, take charge of marriage alliances, and insist on having the management of all our domestic concerns,—I believe the most loyal among us would soon discover that the magistrate had got out of his sphere, and that in this new region he had no right to reign over us.†

This principle applied to civil establishments of religion.

Few things seem to me to have been more completely and satisfactorily proved, than that RELIGION, in all the extent of that word, is beyond the sphere of the magistrate's rule. If there be things at all that are entirely God's, and not in any sense Cæsar's, they are the things of religion.‡

* Gib's Display, vol. i. p. 311. “The proper office of the civil magistrate is to maintain peace, not to support truth; to defend the properties of men, not to take care of their souls; to protect equally all honest citizens of all persuasions, not to set up one religious sect above another.”—*Price's Evidences for a Future Period of Improvement in the State of Mankind*, p. 23. Lond. 1787. Vide Note XX.

† Vide Note XXI.

‡ The utter incongruity of a civil magistrate, dictating in any matter that is religious, is very strikingly exhibited in the following extract, from a paper, in *The New Theological Repository*, with the signature LACO, written, I believe, by the late James

Overt actions inconsistent with the order of society, though attempted to be justified by conscientious convictions, the magistrate has a right—

PART I.

Watt, M.D., Glasgow,—a man of great natural shrewdness and Christian worth. “Should the Dey of Algiers dictate the dress, diet, or manners of the subjects of the United States of America, his mandates would be treated with deserved contempt. When a potentate of the earth dictates the religious conduct of such members of ‘the general assembly of the first-born’ as sojourn in his territory, his mandates are equally extraneous, and liable to similar contempt. In such cases the Christian ought practically to say, ‘I am not careful to obey in this matter, I dare not be a servant of men.’ Though such mandates should be promulgated by the highest earthly authority, and sanctioned on the one side with rewards, and on the other with the severest penalties, the Christian ought to act as if no such promulgations had been made. Religious obedience is the exercise of allegiance to the Majesty of Heaven; it is the church’s chaste duty to her own husband. The Christian who admits human authority in these matters, is in danger of committing treason against the King of kings; the church which does so, of committing fornication with the kings of the earth.

“The propriety of disregarding such injunctions, appears most obvious when the Christian is considered as a member of the church of God. In this view he stands connected with ‘the general assembly of the first-born’ in heaven. His standing before God is on the same footing with that of that society; and in worship both have the same objects in view. The church above and the church below constitute but one communion. Every particular church below ought to be the figure of that above. The exercise and worship of that above is pure, without spot; the exercise and worship of that below ought to resemble it. At least as the will of God is done in heaven, it ought to be done on earth. This will ought to be not the *rule* only, but the *reason* also of every part of worship. In religious conduct, both the church above and the church below are as far above human authority and cognizance as heaven is above the earth. The church above completely disregards the mandates and appointments of men. The church below ought to do likewise.

“The Cham of Tartary issues a proclamation that a certain day of his calendar be employed by the church above in thanking the Majesty of Heaven, for the enlargement and peace of his

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it is his duty to deal with. But with religious opinions and worship, with the interior principle and the external expressions of it, under the limitation just announced, he has nothing to do.*

The principle that a civil government should interfere with religion, is surely a general one if it be true ; and it seems to lead to this conclusion, that, “ if civil government did properly extend its authority to religion, and the things of future happiness, no government or governors could be said to be appointed of God who are of a false religion, and those only who know and teach the true religion, and lead people in a right way to this future happiness, could be of God’s appointment :

empire. As the order of that day, however, that general assembly had it fixed to sing in joyous concert, the song of Moses and the Lamb, and to perform the celestial anthem, ‘ Unto Him that loved us and washed us from our sins in his own blood,’ &c. Not a note can be dispensed with. The Cham’s order stands unheeded, as if it had never been ; unless the Mediator say, ‘ Father, forgive him ; he knows not what he does.’”—*New Theological Repository*, vol. iv. pp. 146–148. Liverpool, 1802.

* “ The civil ruler cannot command with respect to religious worship, without leaving his sphere both as a man and as a magistrate. Worship is a matter between every man and his Maker, and with respect to it, all men seem on equal footing. He therefore who presumes to dictate in this matter, arrogates a kind of worship to himself, and acts unsuitably to that natural equality of human nature, which respects religion. He would leave his sphere also as a magistrate, and frustrate the very end of civil rule. The end of civil government is, that men may enjoy without molestation those rights to which all are equally entitled. Religion is surely one of these.”—*Dr James Watt’s Plain Proof and Candid Enquiry*, &c. Glasgow, 1796. According to this clear statement of obvious truth—the magistrate, when he *commands* in religion, is not only the *betrayed*, but the *invader* of the most sacred of all the rights which he is created to protect.

even as no government extending to civil things PART I.
can be said to be of God, any farther than it
tends to promote the civil peace and welfare.”*

No proof of any such legitimate power in any magistrate but the Jewish, can be brought from Scripture, and in his case the limits of his power were strictly defined by divine law. The experience of every age has proved the unsoundness of the principle, that the magistrate has power in religion, by the mischievousness of its effects. No human civil establishment of religion ever has existed—or ever can exist—without the perpetration of varied and great injustice, and where such an establishment has existed, it has been the principal cause, as injustice ever must be, of the insecurity of the government with which it was connected. Of such an establishment, the compulsory support of its institutions is all but a necessary part—but even the civil enactment of a creed and form of worship, by the magistrate, desecrates religion, and goes far to unsettle and confound the deepest-seated and most important moral distinctions.†

If these things are so, does it not follow that if a government choose to act so unscripturally and unwisely, as to form and uphold an Ecclesiastical Establishment, its subjects are not bound to connect themselves with it—they are not bound in any way to support it? Indeed, if their views on the subject be sufficiently enlightened and extended, they will perceive with equal clearness, that the direct support of an Establishment cau-

* Watts' Works, vol. vi. p. 7.

† Vide Note XXII.

PART I. not be obligatory, for the magistrate has no right to form it, and that it is sinful, inasmuch as it not only is a sanction of that which is wrong in the magistrate, but a participation in his guilt.

Such are the limitations under which the obligation of civil obedience must be viewed as lying.

The judge of the cases in which these limitations hold.

To the question, But who is to judge on these matters? I reply in the words of Dr Paley, in a similar case, "Every man for himself."* Who can judge for him? Few will now contend for Bishop Parker's "Public Conscience," and nobody will become surety for the consequences at the last day, of my doing what I thought wrong, because another with great confidence, but, as appeared to me, little argument, pronounced it to be right. Here, as everywhere else, we find the great principle of the Bible operating. Man is a responsible being. His creed, his religion, his actions, are his own: he must answer for them, and therefore it is right he should look after them. He ought to be the judge, for he must take the consequences of the decision both here and hereafter.

What is to be done in the excepted cases?

Another important question now naturally presents itself:—And what are subjects to do when their governors either lay on them commands which cannot be complied with without sin, or commands which they have no right to lay on them? To the first question the answer plainly is, they must not obey them. To the second, they may or may not, according as they are per-

* Paley's Moral and Polit. Philos. Works, vol. i. p. 313.

suaded that greater good would result from their compliance or non-compliance. PART I.

But civil laws, as is quite right, have penalties;—what is to be done with regard to *them*? While the civil government continues upon the whole to serve its purposes, and when more mischief both to the individual and to the society would result from resistance than from submission to the penalty, it is to be submitted to,—cheerfully submitted to, both as a sacrifice to conscience, and an acknowledgment of the general principle, that, in civil societies, laws must be obeyed either actively or passively. With all this, however, in a free country like ours, there ought to be constitutional means employed, to have the false legislation and the erring administration corrected.

On this subject there appears to prevail a very general mistake. Many seem to think a man a violator of the law, a rebel, an enemy of good order,—one whose principles and conduct lead to anarchy and bloodshed, if from conscientious conviction he decline active obedience to the magistrate, and will not obey the law merely because it is the law, though at the same time he be perfectly willing, if “the ruling powers” see meet, to bear whatever penalty the law allows them to inflict. No well-informed man, to whatever religious sect or political party he may belong, if he is not in a passion, can talk or write such absurdity. A high church writer, in the leading Tory literary journal of the present day, has distinctly stated the principle that the law gives the

Civil law gives the alternative of obeying the command or paying the penalty.

PART I. alternative,—to do the act, or to suffer the penalty. “They,” speaking of the members of the English universities, “they owe, indeed, obedience to the legislature of this country. No one for one moment would urge them to resist its laws, *but obedience has always an alternative*,—Let them submit to the penalty, not be parties to the act.”* On the supposition of their conscientiously disapproving, not factiously opposing the law,—this is a wholesome advice. Chillingworth says, “In civil controversies,”—he is speaking of the judgments of civil tribunals, and the remark is equally applicable to civil laws,—“we are obliged only to external passive obedience, and not to an internal and active.”† “Men have thought,” says Locke, “that civil laws oblige their conscience to entire obedience, whereas in things in their own nature indifferent, the *conscience* is obliged only to active or passive obedience, and that not by virtue of that human law which the man either practises or is punished by, but by that law of God which forbids disturbance and dissolution of governments.”‡ He who, when he cannot conscientiously actively obey a command of a government, which he yet in his judgment approves of, as, upon the whole, a good civil government, quietly and patiently takes what he cannot help thinking a wrong, is certainly not a bad subject. He honours the government by submitting to it,

* Quarterly Review, vol. lix. p. 481.

† Chillingworth's Works, vol. i. p. 213. 8vo. Lond. 1820.

‡ Locke's Life by Lord King, vol. i. p. 114. 8vo. Lond. 1830.
Vide Note XXIII.

when he cannot obey it. Because it is, in his estimation, God's ordinance, he honours it,—because, in a particular case, it requires him to do what he believes God forbids, he refuses to comply with such a requisition. The inconvenience and suffering connected with declining to comply with the law, are very properly so great as to secure that, in ordinary cases, a man will not unnecessarily expose himself to them.

PART I.

There is still another question that must be attended to, before we bring these illustrations of the duty of civil obedience to a close. Are there any circumstances in which Christian subjects may not only decline actively to obey the law, while they passively submit to it, but may and ought to resist the authorities? * I have no hesitation in

Right of resistance.

* “Hæc quæstio prima fronte difficilis et ardua videtur, eo quidem magis, quod cum sub piis principibus supervacua, sub impiis periculosa videretur, vix quisquam eam nisi leviuscule attigerit.”—*Vind. Cont. Tyrann.* p. 32. Things are in a better state now. Milton and Locke, Paley and Mackintosh—have done something more than touched this delicate question “leviuscule.” They have fairly grappled with all its difficulties—and satisfactorily and for ever settled it. It is finely said of the second of these great men by an accomplished scholar—(Cambridge I am afraid owns now few such ardent lovers of liberty among her fellows)—“Quicquid alii de iis existement, ego quidem, si libertatem amem, uti ex animo me amare fateor, si oderim tyrannidem, ut impensissime odi, id omne me JOANNI LOCKIO debere grato animo recorder. Ille scilicet me primus docuit, nihil aliud velle nomen regis, quam superiorem ministrum populi, non ut vulgus damno credunt suo, sacro-sanctam aliquam personam majestate mystica septam, sed a populo gubernatorem institutum et stipendio dignatum, quo leges a populo latas exequeretur, quas tamen si vel violare, vel etiam non exequi auderet, suo statim imperio, populique obsequio finem esse.”—*Prolusiones Juveniles præmittis Academicis Dignata.* Auctore Jo. Tweddell, No. V. p. 34, 8vo. Lond. 1793.

PART I. replying in the affirmative. Such cases have occurred in our own country, and there are many countries in which, I am afraid, they must occur before any thing like good government, and its attendant blessings, be enjoyed by their inhabitants. The truth is very clearly stated, and the grounds of it unfolded by Paley: "So long as the interest of the whole society requires it; that is, so long as the established government cannot be resisted or changed without public inconvenience, it is the will of God (which *will* universally determines our duty) that the established government be obeyed, *and no longer*. This principle being admitted, the justice of every particular case of resistance is reduced to a computation of the quantity of the danger and grievance on the one side, and of the probability and expense of redress on the other."* Our venerable Fathers of the Associate Presbytery distinctly state, in their judicial document already referred to, "that upon the king not fulfilling his obligations, and refusing to be reformed, the people collectively, considered as a politic body, are warranted to lay him aside,—is a principle inseparable from the true doctrine of liberty. The Presbytery's principle of subjection and obedience doth only respect things that are lawful. Nor is it at all inconsistent with any self-defence that is necessary, lawful and expedient, according to the word of God, and right reason, such as our worthy ancestors endeavoured at Pentland or Bothwell."†

* Paley's Works, vol. i. p. 318. Vide Note XXIV.

† Answers to Mr Nairn's Reasons of Dissent.—Gib's Display, vol. i. pp. 276, 290.

“He that thinks a Parliament or a nation should lay their necks upon the block, or quietly perish whenever a king would have it so, hath lost so much of his humanity, that he is unfit to be *civis*, a member of a commonwealth.”* The present government of this country have no right to their places, if these principles are not true. Some account them dangerous principles, but they are in truth the best safeguard of a government. The hazards connected with resistance, while a government is in any measure what it should be, are, and ought to be so great that no sane man is likely to make the attempt: and when there is a general disposition to resistance, the crisis is come; it is time that that government should govern no more.†

* Richard Baxter. *Holy Commonwealth*, p. 417.

† “The speculative line of demarcation, where obedience ought to end and resistance must begin, is faint, obscure, and not easily definable. It is not a single act or a single event that determines it. Governments must be abused and deranged indeed before it can be thought of, and the prospect of the future must be as bad as the experience of the past. When things are in that lamentable condition, the nature of the disease is to indicate the remedy to those whom nature has qualified to administer in extremities, this critical, ambiguous, bitter potion to a distempered state. Times, and occasions, and provocations, will teach their own lessons. The wise will determine from the gravity of the case; the irritable from sensibility to oppression; the high-minded from disdain and indignation at abusive power in unworthy hands; the brave and bold from the love of honourable danger in a generous cause; but with or without right, a revolution will be the very last resource of the thinking and the good.”—*Burke's Reflections on the Revolution in France*, pp. 43, 44. Lond. 1790. The language of the Roman philosopher and orator, in reference to the life of the individual, is equally applicable to those interests of the community which are more valuable than life. “Est enim hæc non scripta sed nata lex; quam

PART I.

Exercise of
this right not
inconsistent
with Christ-
ianity.

It has been urged by some who are not disposed to call in question the justness of the principles now stated, that while this may be the rule for subjects generally—the majority of whom have ever hitherto been, not Christian men—Christians being possessed of a peculiar character, and placed in peculiar circumstances, which unfit them for taking a part in such enterprises as are necessary to the change or dissolution of a government, are to be considered as excused, if not prohibited, from engaging in them. It is readily admitted that Christians, like the converted Romans, residing in a heathen country, and under an arbitrary government, for reasons already stated, are certainly not called on—are not even permitted, to intermeddle with State affairs. But I know no express statute of our Lord, I know no principle implied in any of his doctrines or laws, which at all affects the civil condition of his followers generally. Christianity gives them no new civil privileges, and it takes from them no old ones. It prescribes no new civil duties, and it gives a release from no old ones. It is the duty of every Christian, in every relation, to “do

non didicimus sed accepimus ; etiam ex naturæ penu hausimus, arripuimus ; ad quam non pacti sed facti, non instituti sed imbuti sumus ; ut si vita nostra in tela, in latrones, in enses incideret, omnis honesta ratio erit expediendi salutis.”—*Cicero Or. pro Milone*. The line of demarcation referred to by Burke is accurately drawn by a very acute interpreter and accomplished scholar in these words, “ If a government be so bad as not to possess the character of ‘ being a terror not to good works but to evil,’ it is not to be considered as an ordinance of God, nor would a *prudent* and *well-calculated* resistance to it be criminal.” *Terrot on the Epistle to the Romans*, p. 292.

good to all as he has opportunity ;” and he who, PART I.
 in an age calling for vigorous exertion to secure and extend civil and religious liberty, keeps ever in the back-ground, and excuses his want of enlightened patriotism and philanthropy—or of hatred of tyranny and wrong—or of mental fortitude to avow these sentiments, and follow them out to their fair practical consequences, under pretensions to superior sanctity, which cast a reflection on the conduct of his more consistent brethren, may likely find, at the close of the day, that He who “set his own face as a flint” in the cause of God’s glory and man’s salvation, and “hid it not from shame and spitting,”—“the Captain of the Lord’s host,” in apportioning the rewards of his chosen tribes, will show that he regards with more complacency Zebulon and Naphtali, who “jeopardied their lives in the high places of the fields,” than Reuben, who “abode among the sheep to hear the bleating of the flocks,” or Dan, who “remained in ships,” or Asher, who continued “on the sea-shore, and abode in his breaches.”*

I have now finished my remarks on the general duty of obedience to civil rulers.—Before passing onward to the interpretation of our Lord’s law respecting the particular duty of paying tribute, I must be permitted to congratulate you and myself, my brethren, on the happy circumstances in which we are placed, and the security and ease in which we can yield obedience at once to the law of the land, and to the law of the Lord. Comparatively very few are the cases in

General reflections.

* Judges v. 16,—18.

PART I. which, under our civil constitution, the laws of our Master in heaven, and the laws of our Sovereign on earth, are likely to come into collision—and he is ill able to estimate the advantages we enjoy, under such an administration of law, who would grudge exceedingly because every thing is not yet in entire accordance with the ideal model of a free state, or refuse to take his share in the sufferings and exertions which may still be necessary, to bring a system already so excellent, nearer to perfection.

It is the excellence of that order of civil rule, established among us, that it not only admits of, but provides for, continual improvement. It is possessed of what has been happily termed “susceptibility of peaceable change.” We have lately witnessed its working in this way, in the great extension which has been given, especially in this part of the empire, to the elective franchise—and the security thus gained, that the right of the many shall not be sacrificed to the interests of the few, is likely soon to be increased by the electors being protected from intimidation in the exercise of their important and responsible civil right.

Many things, no doubt, remain yet to be improved, but the tendency is decidedly toward improvement. Indeed there is but one great system of misrule, originating in the unnatural, unscriptural, revolutionary, and every way mischievous connexion between Church and State, which, scarcely yet touched by the hand of reform, strangely contrasts with the general good

government of the country, and above all other things interrupts and disorders, impedes and retards, the onward movement of that moral machinery consisting not only in our laws, but in the whole body of our religious, literary, commercial and philanthropic institutions—most of which are,—all of which ought to be,—voluntary,—which is carrying this nation, long peculiarly blessed by God, towards a height of prosperity and greatness, seldom if ever attained by any people.

That system must fall. God has doomed it.* It may fall soon:—It may not fall till long after we are gathered to our fathers. In either case, happy is he who, in his own place, and by peaceful moral means, shall have a share in producing its overthrow: Doubly honoured he “to whom it is given, on Christ’s behalf,” to suffer in the cause. It is a delightful thought that every day makes it more probable that this glorious change, which is as certain as the change of the darkness of this night into the light of to-morrow, will be

* Babylon must fall. “We would have healed Babylon:” But Babylon cannot be healed. The system of civil establishment cannot be so modified as to unite with Christianity in the completeness, simplicity, and purity of its primitive doctrine, worship, and discipline. The religion of Jesus Christ in its purity and entireness, does not admit of establishment. It must be corrupted or mutilated to make it capable of an alliance with the state. These are striking words of Dr Henry More. “The reformed churches separated from the great Babylon to build those which were lesser, and more tolerable; but yet not to be tolerated for ever.”—*Mystery of Iniquity*, p. 553, fol. Lond. 1660. “The cities of the nations,” as well as their metropolis, “Babylon the great,” must be overthrown.

PART I. accomplished in this country with as little violence.*

It is the SYSTEM that is to perish. Those churches which, though unhappily connected with this system, do not rest upon it, but on which it rests with the weight and benumbing influence of an incubus, will, I trust, on its removal, start up into new life and activity,—“awake, put on strength, array themselves in their beautiful garments, and shake themselves from the dust,” and, freed from the dishonours of their long captivity, move on in holy alliance with their sister churches which have suffered from their thralldom, and will rejoice in their deliverance—to the fulfilment of the high vocation of all the churches of the saints,—the spiritual emancipation of the world.†

* “The peace of the empire will never be secure, till an impartial policy in regard to religion be adopted. The subject involves such high and numerous interests; it deeply concerns such numbers of the people; it is calculated to excite such powerful feelings, and prompt to such persevering and determined conduct, that all hope of lasting tranquillity must be visionary until it is equitably settled. It is mere madness to suppose that the majority of the people, a majority which is every day increasing in numbers, in wealth, and influence, will permanently continue to yield to the treatment they are receiving. The isles of Britain have passed through many a struggle, and seen many a change. A change of paramount importance is yet before them, a change from the bondage of ecclesiastical corruption to the enjoyment of ‘the liberty wherewith Christ makes his people free.’ If conducted with prudence, it will end in permanent prosperity and quietness; but if obstinately resisted or thoughtlessly managed, it will infallibly, in its course, tear in pieces every secular as well as sacred institution, and reduce society to its very elements.”—*Ballantyne’s Comparison of Established and Dissenting Churches*, p. 82. Edin. 1830.

† Vide Note XXV.

If any thing approximating to *resistance* to the
“higher powers” take place in this country, it
seems certain that it will come not from the
friends but from the enemies of civil and religious
freedom. Let these men beware. If, in oppos-
ing those who, as to civil privilege, are demand-
ing justice not favour, and as to religion, are
seeking only to be let alone, they do break the
public peace,—heavy will be their responsibility,
signal their defeat, and final their overthrow.

PART I.

PART II.

ON THE PAYMENT OF TRIBUTE.

PART II.

Introductory
remarks.

THE apostle having clearly enjoined and powerfully enforced the general duty of civil obedience on Christians, even when the administrators of government were heathens, proceeds to enjoin, with equal clearness and power, the particular duty of Payment of Tribute. It might be supposed that this was unnecessary, as the latter was obviously implied in the former. But it is not difficult to account for the specification of this particular form of civil obedience. There was no part of the Roman yoke more galling to the Jews, than the tribute imposed on them. When the census ordered by Augustus at the time of our Lord's birth, was followed up under Cyrenius, the Roman governor of Syria, by actual taxation, Josephus informs us (I quote the words of Whiston's translation), that "at the beginning they took the report of a taxation heinously," and "there was one Judas, a Gaulonite, of a city whose name was Gamala" (the same Judas mentioned in Acts v. 37), "who, taking with him Saddouk a Pharisee, became zealous to draw them to a revolt, who both said that this taxation was

no better than an introduction to slavery, and exhorted the nation to assert their liberty.”* This is quite in accordance with the doctrine held by many of the Jews, and avowed by Eleazar, the Zealot chief, in his eloquent speech to his followers, exhorting them to kill their wives, their children and themselves, rather than surrender to the Romans. “We long ago,” said he, “resolved never to be servants to the Romans, nor to any other than to God himself, who alone is the true and just Lord of mankind.”†

It was the prevalence of these views among the Jews that suggested to our Lord’s enemies, the plan of endeavouring to get him to give a decided opinion on the question of the lawfulness of giving tribute to the Roman Emperor,—in the hope, that whatever that opinion might be, it would afford them the means of effecting his ruin,—by holding him up to popular indignation as an enemy of the liberties of his country, if the answer was decidedly favourable; and if the reverse,—by accusing him to the Roman authorities as “a mover of sedition.” Jerome, in a note to his Exposition of Paul’s Epistle to Titus, says, that “the doctrine of Judas of Galilee yet prevailed at that time, and had many followers.” It is not at all improbable that some of the Roman Christians might have held these opinions: and it seems all but certain, that prejudices existed against the Christians,—who being sometimes

* Fl. Jos. Antiq. L. xviii. Chap. i. 1.—Opera, vol. iv. p. 122. 12mo. Lips. 1826.

† Fl. Jos. Bell. Jud. L. vii. Chap. viii. 6.—Opera, vol. v. p. 154.

PART II. called Galileans,* were not unnaturally confounded with the followers of Judas, who also received that name,—as if they were seditious and turbulent innovators. In these circumstances, we see an obvious reason why tribute-paying should be singled out, from the other duties to civil government, as the subject of specific injunction and enforcement.

In conducting this part of the exposition, I shall adopt materially the same plan as that followed in the illustration of that portion of the law of Christ already expounded. After an inquiry into the meaning of the apostle's words, I shall endeavour to show, first, what these things were to them to whom they were originally addressed—and then, what they are to us, and to Christians generally in all countries and in all ages.†

The law of
tribute.

The sixth verse, “For, for this cause pay ye tribute also ; for they are God’s ministers, attending continually upon this very thing,” resolves itself into two parts—a statement or command, in reference to the payment of tribute, and a reason for its payment. The first clause of the verse, viewed by itself, may be considered as either a statement or command. The word rendered “pay ye” may, with equal propriety, grammatically, be translated “ye pay.” The clause has been rendered in this way by some translators and commentators, who consider this verse as a further enforcement of the general duty of civil obe-

* Suidas in Ναζαραιοὶ et Χριστιανοί. Arrian. in Epictet. lib. iv. c. 7. Malela, p. 356. Fabricii. Bib. Græc. T. 5. p. 285.

† Vide Note XXVI.

dience, drawn from the fact that the Roman PART II.
 Christians paid tribute. They view it as an appeal to consistency: “Ye pay tribute—and if ye pay tribute, why should ye refuse any other act of civil obedience?” We cannot help thinking this an unnatural exposition. Standing in the midst of injunctions, it seems much more likely that the words are to be understood imperatively than indicatively. An argument drawn merely from personal consistency, is a feeble one compared with the two already urged,—from conscience towards God, and the fear of punishment; and from any thing we know of the case, it seems probable, that of all the acts of civil obedience, paying tribute was likely to be the least conscientiously performed by those whose mistaken opinions it was the apostle’s object to correct in this passage. We therefore cordially agree with the view our translators have given of the meaning, and consider the words as an apostolic command to pay tribute.

The connective particles, of which there are three—*γάρ* *for*, *δια τούτο* *for this cause*, *και* *also*—require to be noticed. The first of these is the same word which, in the preceding and subsequent context, is so often employed to denote that what follows is a reason for what goes before. This cannot be its meaning here, if the clause be considered as a command and not a statement. It is used here, as it often is, just as a particle of transition, and might be rendered *then*, as it is in some other passages.*

Connective
 particles explained.

* John vii. 41; Acts viii. 31; xix. 35; Rom. iii. 3; Philip. i. 18.

PART II.

The second of these particles, rendered *wherefore*, usually signifies, that what follows it, is something for which a reason has just been assigned—something that flows from what has been stated, though sometimes, like words of similar meaning, it looks forward instead of backward, and intimates—that something is true or right, for a reason which is just about to be stated. Attention to this last remark enables us to explain some passages that otherwise would be difficult.* Understanding the particle in its most ordinary sense, the reference would seem to be to the concluding clause of the former verse, “not only for wrath but for conscience’ sake.” “Wherefore,” or for which cause, “pay ye tribute.” There are, however, two objections to this mode of interpretation, first, that we should have expected in this case, that the plural would have been used rather than the singular, *ταυτα* instead of *τουτο*—“for *these* things,” rather than “for *this* thing”—for both wrath and conscience’ sake—and, secondly, that the reason for paying tribute is stated in the words that follow. It is right to remark that the words may and probably do signify, “In reference to this thing”—*i. e.* subjection to civil authority. This use of the phrase, which seems established on sufficient authority, gives light to some rather obscure passages of Scripture.†

The third particle rendered *also*, is intended to signify that this is an appendix to the general command of civil obedience; or it may be ren-

* Rom. ii. 1; Heb. ix. 15.

† Matthew xiii. 52; Mark xii. 24; John xix. 11.

dered *even*, in which case it suggests the idea, PART II.
 that civil obedience, even in the form least agreeable to the individual, is to be performed. The meaning of the whole clause therefore is either,—
 “ In reference then to this matter, obedience to the civil magistrate, I command you even to pay tribute;” or, “ For wrath and conscience’ sake then, I command you also or even to pay tribute.”

The word *φορος*, rendered *tribute*, is employed in the seventh verse to designate a particular species of impost—as distinguished from another species termed *τελος*, custom. Here it is obviously used as a general name for the civil taxes, exacted by the Roman magistrates. Among the Romans there were two classes of imposts, the one called Tribute, *Tributum*—the other called Taxes, *Vectigalia*. Tribute seems to have been at first a capitation tax,—a fixed sum which every individual was required to pay. It ultimately appears to have become a kind of property-tax—a sum which every individual paid according to the valuation of his estate by the Censor—the most unexceptionable of all taxes, if the means of having it fairly apportioned could be obtained. Under the same name were ranked also voluntary contributions, of which an account was kept, and which, when the public treasury could afford it, were sometimes repaid, as Livy tells us was done, after the second Punic war.* The other taxes, *vectigalia*, were of three kinds—money paid on goods imported and exported, this seems to be

The nature
of Roman
tribute.

* Livy, xxvi. 36.

PART II. the *custom* ; tithes, or the tenth part of the produce of the public lands, paid by those who occupied them ; and a rent for the privilege of pasturage on the public lands.*

The duty of the Roman Christians respecting tribute.

The duty enjoined in reference to these taxes is that the Christians liable to them should pay them—*i. e.* they should not refuse to pay them,—they should not seek to evade them,—they should not attempt to escape by underpaying them. Their duty was conscientiously to give whatever in the name of tribute was required of them by their governors, and to perform this, like every other act of civil obedience, not as a matter merely of external necessity, but as a matter of moral obligation.

Reason assigned for the law of tribute.

The words which follow assign a reason for this command to pay tribute : “ For they are God’s ministers, attending continually on this very thing.” These words may be considered as referring either to the magistrates who imposed the taxes, or to the officers who collected the taxes. If they are considered as referring to the magistrates, which is the more common mode of interpreting the clause—“ this very thing ” expresses the great end of the magistrate’s office—the being “ a minister of God for good to them who do good, and a minister of God for punishment to them who do evil,”—the security and peace of the community, which is maintained by protecting the peaceable and punishing the turbulent. In prosecuting this object magistrates are to be considered as the servants—“ the ministers of

* Adam’s Roman Antiquities, pp. 59, 60. 8vo, Lond. 1819.

God," *i. e.* they are the subordinate agents of his providence, in accomplishing his will,—in promoting the social security, peace and prosperity of mankind; and in order to their gaining this object, it is necessary that they should devote their time and talents to it, that they should "attend continually on this very thing."

PART II.

If they are employed for the public good, they have an undoubted claim to be supported at the public expense. In every department of society, "the labourer is worthy of his hire;" and when we consider the dreadful consequences of anarchy, no expenditure should be less grudged than what is necessary to the maintenance of an effective civil government. As "he who serves at the altar, should live by the altar;" so he who devotes his time and talents to the public service, whether on the throne as a king, or in the deliberative assembly as a senator, or on the bench of justice as a judge, or in any subordinate station in administering the laws, should be supported in a manner adequate to the fair compensation of his labour, and the attainment of the great ends for which he occupies his place. It is obvious that no civil government can be carried on without expense; and by whom should that expense be borne, but by those who reap its advantages?

All this is truth, and important truth, and truth which, without using any violence, may be brought out of the apostle's words, viewed by themselves. Yet we more than doubt, if the above statement, true and important as it is, exactly expresses the apostle's meaning. It seems quite plain that it

This reason
refers not to
the magis-
trates,

PART II. was the apostle's object to place the payment of tribute in particular, as well as civil obedience to the Roman magistrates generally, on the foundation of obedience to the divine will, clearly expressed by him, a divinely inspired messenger. Now, this were to place it on the foundation of the obvious reasonableness of the thing. Besides, this argument of the apostle would go no farther than to show the propriety and obligation, in common equity, of paying such a measure of tribute as was necessary and sufficient for the purposes of good government—a principle, which should regulate the conduct of those who impose taxes, but which is by no means so well fitted to guide the conduct of individuals in paying taxes, were it for nothing but this, that the great majority of those who pay tribute are incapable, in ordinary cases, of forming a just judgment on such a subject. It certainly was not the apostle's object to call on the Roman Christians to form an estimate of what sum of money was necessary to sustain the operations of civil rule throughout the Roman empire, and of the proportion of that sum which they could justly be called to pay; and to act accordingly. He meant to say, whatever tribute is legally demanded of you, if its payment does not involve you in guilt, you are, for conscience' sake, as well as for wrath' sake, readily to pay.

but to the
tax-gather-
ers.

I am therefore disposed to go along with those expositors, who consider the apostle, in the expression, "Ministers of God attending continually on this very thing," as referring not to the magistrates generally, or to the supreme magistrate, but

to that body of the magistracy, who, under the Censor and Quæstor, were employed in assessing and levying the taxes. “This very thing,” was the collection of tribute; and “God’s ministers attending on this very thing,” were the officers employed in this collection. This interpretation is supported by the fact, that in the following verse the different orders of magistrates are specified; and the Christians are required to give what, by the arrangements of the constitution, was due to each of them.

The Jews had, in general, a very low opinion of the *τελωναι*, the publicans or tax-collectors. They were, it is to be feared, with too good reason, generally considered as guilty of peculation. The general sentiment, in reference to them, is very strongly marked in the proverbial expression—“publicans and sinners”—tax-gatherers and scoundrels. Owing to this feeling, which was not peculiar to the Jews, though, from particular circumstances, remarkably strong among them, the crime of embezzling the tribute and taxes prevailed over the whole empire.* In opposition to this general sentiment, the apostle’s injunction is, ‘Pay tribute, as well as yield obedience, from a regard to the divine authority; for not only are the higher officers of the imperial government to be considered by you as God’s ministers to protect the peaceable and to punish the lawless, but those very contemned and hated publicans are God’s ministers also, and the collection of tribute is the work which he, in his providential arrange-

* Tertul. Apol. c. 42, *in fine*.

PART II. ments, has assigned them. You cannot refuse compliance with their lawful demands, without disobeying God: you cannot cheat them, without robbing him.'

Appropriate
duties to the
different or-
ders of magis-
tracy.

The apostle then goes onward to enjoin the Christian Romans cheerfully to render to the different orders of the Roman magistracy that kind and degree of duty, which, according to the constitution of the government, they had a right to demand,—“their due.” “Render therefore to all their due: tribute to whom tribute is due, custom to whom custom, honour to whom honour, fear to whom fear.”

The term *all*, in this verse, is to be understood as expressive of a limited universality—of the whole of a class—the class referred to. It is unquestionably true that we ought to render to every human being—to every sentient being—that which is *due* to it. But it is plain, the apostle here is speaking of duties to magistrates; and that he refers to all magistrates, of whatever order, and whatever rights they possessed. In perfect conformity with the idiom of the original, the clause might be translated—‘Render to them all their dues.’ Indeed, had it been the apostle’s object to have expressed the more general sentiment, it is likely he would have employed another expression (*τοῖς πασι*, instead of *πασι*).*

* This has been called in question—yet we apprehend without sufficient reason. Certainly the assertion—that the reverse is the rule, is a mistake. Middleton says, “When *πας* or *ἅπας*, in the singular number, is used to signify that *the whole* of the thing implied by the substantive” (expressed or understood) “with

is this: The Roman government is God's ordinance to you. According to its constitution, its different officers are invested with different rights. PART II.

which it is joined is intended—the substantive has the article, but when it is employed to denote every individual of that species that is spoken of, then the substantive is anarthrous;” and while he states, that “it is not so easy to settle the usage with respect to *πας* in the plural,” he says, “it often happens that *where there is no reference*, the article will be used hypothetically,” and that in such cases it would always be inserted, were it not that *παντες, πασαι, &c.*, do of themselves, *when joined to a substantive*, indicate that the whole class is meant.” The word *παντες* is used in Rom. iii. 23, in the same way as we apprehend *πασι* is here; for though the proposition laid down there is universally true, just as the precept contained in the words before us is binding, if understood as referring to all men, yet it is evident from verse 24, where “they who have sinned and come short of the glory of God,” are represented as “justified freely by God’s grace,” &c., that the reference is not to all men, but to *παντας τους πεινοντας*, v. 22. There is no difference as to justification among them that believe, for “they all have sinned,” &c., and they all are “justified freely by God’s grace through the redemption that is in Christ Jesus.” There can be no doubt—there is reference here—yet the article is not used. Had it been used—had it been *οι παντες*, I apprehend the probability would have been—that the term was employed not in reference to a class, but in its most extensive sense when used respecting human beings. In the same way I must still think that *πασι* here refers to the whole of the *εξουσιαι—αρχοντες, διακονοι Θεου, λειτουργοι Θεου*—spoken of in the preceding context.—On the principle which has been so oracularly delivered, that “all here must be all men”—all who have sinned and come short of the glory of God must be admitted to be also justified freely by God’s grace “through the redemption that is in Christ Jesus.” With Melancthon and Grotius to support me, I cannot hesitate to assert, that “in perfect conformity with the idiom of the original, the clause—*αποδοτε ουν πασι τας οφειλας*, may be translated—‘Render then to them all their dues.’ That so far as mere phraseology is concerned, it must be so rendered—is an assertion I could never think of making. Such sweeping assertions are, as we have just seen, rather dangerous. The judicious Gisborne considers *πασι* here as referring to all the magistrates.” St Paul,

PART II. You *owe* them something corresponding to the situations they occupy. Render to them, then, from a regard to divine authority, that which is thus their due. Render *tribute*—the property-tax—to him who is empowered to exact it from you: it is his due. Render *custom*,—imposts on goods which you buy or sell, to him who is authorized to collect them: it is his due.

“Fear” is reverence,—a very high degree of respect—the feeling with which subjects should regard the heads of government, those who are invested with the supreme legislative and executive functions of the State; and “honour” is an inferior degree of the same sentiment, to be cherished to all inferior magistrates, in the degree in which they possess civil power. You see the comparative force of the two words in the command, “Fear God—honour the king.” Where God is considered as the proper object of fear; then honour is the highest sentiment due even to the chief magistrate. But when we look only on human authorities, fear belongs to the king as supreme magistrate; honour, to those who are his subordinates. The general principle is, Civil authority is a sacred thing: reverence it wherever you meet it, and let your reverence correspond with the degree in which it is possessed by the object of your respect. It is as if the apostle had

after various pertinent instructions, concludes with this general admonition:—“Render therefore to all” (to each magistrate in his proper department), “their dues,” &c.—*Enquiry into the Duties of Men*, chap. iv. vol. i. p. 83. Lond. 1795.

said, Reverence the Emperor—fear the Prætor—respect the Quæstor—and beware of treating with contempt even the despised publican: just as we would say, Reverence the Sovereign—fear the Judges—respect the High Court of Parliament—honour the municipal or local authorities—and beware of treating with contempt even the bailiff or the constable.

Such appears to me the meaning of these words of the apostle. They are an assertion and enforcement of the duty of payment of tribute on the Christian Romans: they are a reply to the question, Are Christians bound to pay tribute to a government administered by heathens? And that reply is a very strong affirmative.

The questions—Whether this precept to pay tribute, as addressed to the Roman Christians, had any limits; and if it had, what were they, come now to be considered. The thought that first suggests itself to the mind reflecting on this subject is, that payment of tribute being just one of the innumerable forms of civil obedience, particularized in the passage before us, for reasons which have been already assigned, must share in the limitations which, as we have shown, in a former part of this discourse, characterize the whole class of duties to which it belongs; and this conclusion is strengthened, by perceiving that the other particular precepts specified along with it, all of them require limitation. It is only within certain limits that we are to “fear” or “honour” any human being, however dignified

Had the law of tribute any limitation in the case of the Roman Christians?

PART II. and powerful. These considerations will go far, I think, to settle the question with every unprejudiced inquirer, and induce him to proceed immediately to endeavour to ascertain what are the limitations, about the existence of which we can have no doubt.

Not necessarily unlimited.

It seems, however, to be held as something like an ethical axiom with many, that this precept about tribute-paying has no limits; and it has been gravely argued, that the circumstance of its being singled out from among the endlessly diversified forms of civil obedience, and made the subject of an express statute, proves this. The reason why such prominence is given by the apostle to tribute-paying has already been stated. It must strike every person, that if the apostle, in specifying tribute-paying, had intended to teach that the limitations which attach to other forms of civil obedience were inapplicable to it, he would have distinctly said so, and not have left the precept in reference to expression, exactly on a level with a precept, which, as all *now* admit, requires to be understood with exceptions. Besides, tribute-paying does not stand out quite so singly as has been supposed. There are honour and fear specified along with it; and surely these sentiments, without limit, are not due to any created being.

Only conceivable causes of its being unlimited.

Still, however, we do not deny, that the precept as to tribute-paying may be without limit. All we say here is, this does not prove it to be so; and if it be unlimited, which certainly is a very improbable hypothesis, this must arise not out of its general nature, as civil obedience, but

out of something which is peculiar to it, as tribute-paying. Now there are only two conceivable causes, in the absence of a distinct declaration of the lawgiver, which could give this idiosyncrasy to this particular form of civil obedience: either that the parting with money is not in itself, properly speaking, a moral act—or, that supposing it to be in itself a moral act, if performed voluntarily, the compulsory character of the exaction strips it of its morality. Neither of these views of the case, and I can conceive of no third, is at all tenable.

Parting with money stands, with regard to morality, on a level, neither higher nor lower, with all other external acts. Viewed apart from the principles of the intelligent moral agent who performs them, they have no morality. To walk to the heathen temple—to lay incense on the heathen altar, viewed as mere external acts, are just as little moral or immoral as the parting with money. To walk to a heathen temple and burn incense on an idol's altar, is disobedience just from the state of the mind of him who does it—from what must be the state of mind in any sane man who does it; and exactly in the same way, parting with money voluntarily for what I know or believe to be wrong, is just as obviously immoral,—immoral for the same reason, as employing any other set of means, over which I have the control, in the same way.

But admitting all this, it has been said that the compulsory character of tribute strips it of its moral character in one way, and invests it with a

PART II.

Paying money in itself a moral act.

Not changed in its character by civil enactment.

PART II. moral character in another. Here is an object to which I could not voluntarily contribute without sin; but God has given another party authority to impose tribute on me, and he has power to compel me to make payment: so that whatever be the object, I have no concern with it, while, from the divine command, it is my duty to make the required payment. Now, in the first place, we have to remark here, that in taking for granted that God gives to the magistrate the right to impose tribute for whatever purpose he pleases, the premise is made identical with the conclusion to be drawn from it—a convenient, but not a very reputable mode of arguing; and, in the second place, that compulsoriness is not a quality peculiar to tribute-paying—it belongs to all acts of civil obedience; the very principle of civil government being force. If a Christian was commanded to pay a tax for the support of idol worship, the very same power that was ready to punish him if he did not do it, was equally ready to be put forth against him for refusing to go to the temple and worship; and if the compulsory nature of the requisition is a good reason for complying with the first, it would be difficult to see why it should not be a good excuse for complying with the second. If actual absolute force were employed in either case, then indeed the moral character of the acts would be lost, obliterated, destroyed; for in that case the man would cease to be an actor and become a sufferer. It appears, then, that there is nothing in the nature of tribute, to take it out of the general category

of forms of civil obedience;—there is nothing to make the limitation of the precept an impossible thing. PART II.

Presuming, then, that there might be limits beyond which the law of tribute was not obligatory on the Roman Christians—let us now proceed to inquire if there really were such limits, and if so, attempt to define them. Before entering on this subject, I beg to premise, that the sphere within which the duty of payment of tribute was obligatory, was obviously a wide one. Not merely were all wise and just taxes, all imposts necessary for the right and efficient administration of government, to be paid—but all imposts of the ruling authority, for the purposes of civil rule, though unwise, unequal, and oppressive, were to be paid without murmuring and complaint; though, if the Roman Christians had any constitutional means of representing their grievances to the government and seeking their redress, they certainly were not, by any principle or statute in the law of Christ, prohibited from availing themselves of them.

I most cordially agree with the remark of a venerable servant of Jesus Christ—that “the precept to pay taxes should be considered by Christians” (I have no doubt the primitive believers did so consider it) “as a blessing. Had not the precept been given expressly, conscientious men might have thought it necessary to know first how the money was to be applied, and to refuse whenever they disapproved of the expenditure. This would have given occasion to endless trouble

The sphere of
the law of
tribute to the
Roman
Christians

very exten-
sive,

PART II. and contention. But now, in consequence of the express precept, all occasion of scruple or uneasiness" (with regard to taxes exacted for the general purposes of government, for the remark plainly does not apply to taxes demanded for a specific immoral purpose) "is removed. And as of old Christians were permitted to buy whatever was sold in the shambles, asking no questions for conscience' sake ; so now, whatever is imposed as a tax" (for the general purposes of government) "it is our duty simply to pay, and owe no man any thing, but to love one another."*

not unbound-
ed.

Wide, however, as was the sphere of the obligation of tribute-paying, we apprehend that it was by no means unbounded ; and its limits were, and indeed must have been, materially the same as the limits of the other forms of civil obedience. There is nothing arbitrary in the divine constitutions. They all proceed on great general principles, and any thing that claims to be an exception, requires to produce very satisfactory evidence before its pretensions can be admitted. That tribute-paying has no sound claims to the distinction of being the only duty of civil obedience which has no limits, will appear, we apprehend, very distinctly as we proceed.

First limita-
tion.

If this law have limits at all, there can be but little doubt, that the payment of a tribute, exacted specifically for an immoral or impious purpose,

* The Duty of Christians to Civil Government, a Sermon preached in Lady Glenorchy's Chapel, Edinburgh, on the 29th November, 1798. By Greville Ewing. Pp. 25, 26. Edin. 1799.

or generally for a purpose conscientiously disapproved of by him from whom it is exacted, falls beyond these limits. There is something absolutely revolting to those moral perceptions and feelings, which lie at the very bottom, which form the *ima fundamina*, of our spiritual nature, in maintaining the opposite opinion. It is monstrous to suppose that, by any mere human arrangement, not only may what was not duty become duty, and what was not sin become sin; but what was sin become duty, and what was duty become sin. The principle would need to have strong support that warrants such a conclusion as the following:—voluntarily to have contributed money for defraying the expenses of the crucifixion of Jesus Christ, on the part of his disciples, would have been guilt, if possible, fouler than that which makes the name Iscariot the type of all that is base and impious; yet had the Roman authorities imposed a tax on them for this most immoral of all purposes, it would have immediately become their duty cheerfully to pay it. This is the fair result of the principle. I have heard of men who, on being made to see this, still held by it. But such men are beyond the reach of argument.*

On this principle, we hold, that had the Roman Christians been required directly to contribute to the support of heathen idolatry, it would have been their duty to refuse compliance. It has been asserted, on the part of some defenders of

The case of a tax for the support of idolatry considered.

* Vide Note XXVII.

PART II. the right of a civil government to exact a tribute from its subjects generally, for the support of a particular modification of religious worship,—that the Primitive Christians were subjected to such a tax, and that they cheerfully paid it.* The evidence in support of the first of these statements is far from being abundant: with regard to the second, the evidence is decidedly on the other side.

Tax for support of the temple of Capitoline Jove.

The nearest approximation to proof, that the primitive Christians were liable to a specific tax for the support of heathen idolatry, furnished by ecclesiastical history, so far as we know, is to be found in the undoubted fact, that after the destruction of Jerusalem, a date considerably later than that of the writing of this Epistle, the Jews, wherever they might dwell, were required by imperial authority to pay for the use of the Capitol—a temple of Jupiter, in Rome—the tax of half a shekel—or the didrachma, which they had been wont to pay for the use of the Temple of Jerusalem; and the not improbable supposition, that this tax might be exacted not only from Jews converted to Christianity, but also from Gentiles who had become Christians, as it seems likely that the Christians were considered by many as a Jewish sect. Suetonius, the Roman historian,

* “ We can conceive no fouler insult to the memory of the martyrs and confessors of the early times, than what is thrown upon it by the churchmen of the present day. It is almost enough to rouse their very souls under the altar, and to put additional vehemence into their cry for vengeance :—‘ How long, O Lord, how long ! ’ ” — *Voluntary Church Magazine*, vol. vi. p. 182.

states, that in the reign of Domitian, “the Jewish tax,” plainly referring to the imposition just mentioned, “was exacted with the greatest severity, and was demanded of those who lived according to the Jewish customs, without entering themselves as Jews, or who dissembling their original, had omitted to pay the tax laid upon that nation,”—words which plainly intimate that the tax was not cheerfully paid. The learned, candid, and sagacious Lardner, says, that “it cannot be doubted that some Christians met with sufferings upon this account, under the name and character of Jews, from whom they received their religion, and perhaps this story of Suetonius has a reference to Domitian’s persecution of the Christians, commonly called the second persecution.” Gibbon speaks of the refusal of the Christians to pay this tax, as an undoubted fact,—“It was impossible that the Christians who had so often sheltered themselves under the shade of the synagogue, should now escape this rapacious persecution. Anxious as they were to avoid the slightest infection of idolatry, their conscience forbade them to contribute to the honour of that demon, who had assumed the character of the Capitoline Jupiter.” If Lardner’s and Gibbon’s conclusions be admitted to be just, then so far from it being true that Christians cheerfully paid a tax for the support of the heathen idolatry,—their refusal to pay such a tax was the immediate cause of a bloody persecution. It deserves notice, also, that Lardner distinctly enough states, that in his estimation these scruples to contribute to a heathen

If demanded
from Chris-
tians, not
paid by them.

PART II. temple, were sufficient reasons for declining to pay this impost.*

If such a tax had been imposed on the primi-

* “Judaicus fiscus acerbissime actus est; ad quem deferebantur, qui vel improfessi Judaicam viverent vitam, vel dissimulata origine, imposita genti, tributa, non pendissent.”—*Sueton. Domit.* cap. xii. “Φορον δε τοις ὅπου δηποτ’ ουσιν Ιουδαιος επεβαλε, δυο δραχμας ἐκάστον κελευσας ανα παν ετος εις το Καπετωλιον φερειν ὡσπερ προτερον εις τον εν Ἱεροσολυμοις νεων συνετέλουν.”—*Fl. Jos. Bell. Jud.* L. vi. C. vi. vol. v. p. 143.—Lardner’s Testimonies of Ancient Heathens, Chap. viii. Sect. iv.—Works, vol. iii. p. 620.—The Decline and Fall of the Roman Empire, vol. i. Ch. xvi. p. 538. 4to. Lond. 1776. It appears then probable, that one of the principal causes of the persecution under Domitian, and likely of other persecutions also, was the refusal on the part of the Christians to pay “the vectigalia templorum,” and otherwise to support the heathen superstitions. That there was a great falling off, appears not only from the oft-quoted passage from Tertullian, but also from the following citation from Pliny: “Satis constat prope jam desolata templa cæpisse celebrari * * passimque venire victimas quarum adhuc rarissimus emptor inveniebatur.”—*Epistolæ*, Lib. x. 97. The diminution of the gains of the priesthood—augurs “et hoc genus omne,” is assigned by the judicious Mosheim as a leading cause of the early persecutions. “Publicus tot numinum cultus, stolidæque populorum de illis opiniones infinitam sacerdotum augurum haruspicum, et aliorum hominum turbam commode et copiose alebant. Mercatores pariter haud pauci, qui bestias, thura, resque alias vendebant, magno religionem habebant questui, ne quid nunc de opificibus dicam, quibus ea fructuosissima erat.”—*Acta* xix. 25. Proceres et magistratus ipsi, amplissimis, lautissimisque fungebantur sacerdotiis. Qui quum omnes animis prospicerent, aut esmiendum, aut multis sibi commodis et ornamentis carendum esse si hæc sacra funderentur per populos, initiis existimabant resistendum, et Christianos extirpandos esse.”—*Mosheimii Institutiones Historiæ Christianæ Majores*, Sec. i. Pars. i. Cap. v. Sec. x. p. 120. 4to. Helmstad. 1739. It is mortifying to think that there has been so little honest, though mistaken, religious principle in the upholding of ancient religious institutions; and that by far the greater part of what professed to be religious zeal, was indeed one of the lowest varieties of selfishness. Thus was it in the primitive age—thus was it at the era

tive Christians, their conduct in the somewhat PART II.
 analogous case of military service makes it evident, that they would not have paid it. Celsus directly charges the Christians of his time with disobedience to the civil power, in refusing to bear arms. Origen not only readily admits the fact, but defends it. It has been made a question whether the primitive Christians did not consider war in all its modifications as unlawful; and to say the least of it, very strong presumptions that they did, have been brought forward; but it is quite undeniable, that their refusal to bear arms is by themselves grounded on the impossibility of their doing so, without, in conforming to certain military practices, giving countenance to idolatry. The men who scrupled to follow a standard that bore an idolatrous emblem, and submitted to death rather than violate their conscience in such a matter, were not very likely to part with their substance for the direct support of an idol's temple. It might be taken from them—but they certainly would not give it.*

of the Reformation—and thus too is it in our own times. The Jeweller of Ephesus places the causes of the determined support of the established religion by himself and his fellow artificers in their true order; first, “By this craft we have our wealth;” secondly, “The temple of the great goddess Diana is in danger of being despised, and her magnificence of being destroyed.”—Acts xix. 25–27. In Britain, as in Ephesus, I have no doubt there are not a few really devoted idolaters of Civil Establishment as a religious institution; but the great majority who clamour most loudly against those who, like Paul, are “persuading and turning away much people” from the worship of the image which the secular power has set up, belong to the class of the craftsmen.

* Origen contra Celsum, Lib. viii. pp. 426, 427. 4to. Cantab.

PART II.

Their horror
of idolatry.

Indeed, every person at all conversant with the history of the earlier ages of Christianity, knows that solicitude “to keep themselves from idols,” was one of the most characteristic features of its votaries; and that, in consequence of the established religion having, according to the nature of such institutions, as illustrated by their history in all ages, so interwoven itself with the whole organization of civil society, even in its minutest details, they had innumerable and daily recurring opportunities of manifesting their horror of idolatry. “While,” to use the language of the pious Neander, the most learned writer on the ancient history of the church in the present age, “they showed most conscientious obedience to the government, in every thing which was not against the law of God, they could not be induced by any persuasion, any fear, or any violence, to participate in the ‘Cæremoniæ Romanæ,’ enjoined by law,”*—showing what their enemies termed “inflexibilis obstinatio.” The “scrupulous delicacy,” as Gibbon phrases it,

1658. Tertullian de Corona, Ch. xi. et de Idol. c. 19, 20, 21.—Moyle’s Letters concerning the Thundering Legion. Post. Works, vol. ii. pp. 86, 148, 176, &c. Lond. 1726. Lactantius’ words are very affecting: “Docui ut opinor, cur populus noster apud stultos, stultus habeatur. Nam cruciari atque interfeci malle quam thura tribus digitis comprehensa, in focum jactare tam ineptum videtur quam in periculo vitæ, alterius animam magis curare quam suam. Nesciunt enim quantum sit nefas, adorare aliud præterquam Deum qui condidit cælum et terram, qui humanum genus finxit, inspiravit, luce donavit.”—*Lactant. Institutiones*, Lib. v. c. cxix. Venet. Aldus, 1515.

* The History of the Christian Church, during the three first centuries, by Dr Augustus Neander. Translated by H. J. Rose, B. D. § i. Introd. vol. i. p. 85. Lond. 1831.

which the Christians displayed in declining to take a part in the marriage and funeral ceremonies, even of near relations, because polluted by idolatrous rites—and in refusing to comply with the commands of the magistrate, to observe public festivities for the same reason, would have stood out in strange contrast with “the cheerful payment” of a tax for the express purpose of upholding the temple of an idol, or of purchasing victims for its altars, or of supporting the priests who sacrificed them. So obvious an incongruity—so striking an example of “building again what they had destroyed,” would have presented Celsus or Gibbon with an occasion, which their malignant ingenuity would have eagerly embraced, of representing the objects of their hatred, as a set of self-convicted hypocrites—but among the many charges brought against the primitive Christians, I am not aware that that of inconsistency in their opposition to idolatry, has ever been seriously made.*

* Tertullian di Idololatria, *passim*.—How intimately idolatry had blended itself with the usages of society, is known to all familiar with the Roman historians and poets. Suetonius, in Aug. c. 35, tells us, that before the business of the senate commenced, every senator dropt some wine and frankincense on the altar. The *Fasti* of Ovid show how thoroughly imbued the offices of private life were with the influences of Paganism, and how difficult it must have been for Christians to “keep their garments clean” amid such surrounding defilement. When one thinks of this, the origin of monasticism seems easily accounted for, and to admit of plausible apology, though incapable of satisfactory defence. Gibbon does taunt the Christians for using the coin of the empire, which, in the titles of the emperor on the obverse—and the emblems on the reverse, gave abundant evidences of the character of the established religion. The sense-

PART II.

The command to pay tribute does not extend to a tax in support of idolatry.

Let us suppose, for the sake of argument, that, at the time this epistle was written, there existed no direct tax for the support of idolatry. In this case it is obvious, that the law before us cannot contain in it any precept to pay such a tax, for the command refers to the existing tributes of the Roman empire, and a religious tax is a thing so very different in its nature from civil tribute, that a command to pay the latter cannot be considered as in any way implying an obligation to pay the former. They have indeed little in common but the name; and he who argues that a Christian is obliged to pay a religious tax, because the apostle commands him to pay civil tribute, argues just as conclusively, as he would do, who, because the legislature had set apart a sum of money for building school-houses, meaning by that, houses in which the elements of ordinary education were to be taught—should insist that every man who built a house, which was to be used as a school, in any sense in which that word may be employed—as a school of gymnastics, or of art, or of medicine, or of atheism,—had a just claim on assistance from this fund.

It must be proved first, then, that the Christian Romans were liable to a religious tax, before

lessness of these taunts is well exposed by Lord Hailes, in his Enquiry; but could that *Κατηγορος Αδελφών*, who knew all that could be known on such a subject, have neglected to record what would have told so much more powerfully, in branding them as Fools or Hypocrites, as their cheerfully paying the “*vectigalia templorum*,” had he not been aware, that to have stated it as a fact, would have been a falsehood sure to be exposed—and to have thrown it out as a conjecture, an absurdity sure to be ridiculed.

the words in question can be considered as even PART II.
capable of bearing the sense which has been imposed on them. But though it could be proved that from the previous existence of a tax specifically levied for the support of idolatry, the words might possibly include this, it does not at all follow that the precept was meant to be understood in this extent. The general law, "We must obey God rather than man," which limited the precept, "Be subject," when the imperial power commanded to sacrifice, interposed and limited the precept, "pay tribute," when the imperial power commanded to contribute to the support of false dogmas and impious rites.

Any thing approaching to evidence, that the primitive Christians directly supported heathen idolatry, has never been produced, and, when we consider how eagerly it has been sought for, we may safely add, never can be produced. Tatian, and Justin Martyr, and Tertullian, all agree, indeed, that they were exemplary for their conscientious payment of civil tribute. "If the Emperor command me to pay tribute," says Tatian, "I am ready to do it."* "For your taxes and tributes," says Justin Martyr, "we are above all men, everywhere, ready to bring them in to your collectors and officers, being taught so by our great Master."† Tertullian represents the heathen magistrates as saying, "The rates for the temple now come to nothing;" and he replies, "If your temple-wardens have reason to complain

No evidence
that the
Christians
paid such a
tax.

* Tatian, *Orat. contra Græcos*.

† Just. Mart. *Apolog. cap. xxiii*.

PART II. against Christians, the public, I am sure, has not ; but, on the contrary, very great reason to thank us for the custom we pay, with the same conscience we abstain from stealing.”* It is impossible, however, fairly to deduce from these statements any thing more than this, that the Christians conscientiously paid *civil* tribute ; and it would be quite as good reasoning to conclude, that the Christians worshipped idols when the magistrates required them, because their apologists say, that they scrupulously obeyed the laws,—as to conclude, that the Christians contributed to the support of idolatry, if required by the magistrate, because their apologists say, that they cheerfully paid tribute.

Evidence on
the other
side.

While there is no evidence on the one side, there is evidence on the other, part of which has already been adduced. While Tertullian’s words may admit a question, as to the degree and extent in which the religious rates, to which he refers, were compulsory, however that question may be settled, they show that the Christians did not,—would not, directly contribute to the support of what they knew to be wrong. There is a remarkable incident, recorded by more than one of the early ecclesiastical historians, which is calculated to throw light on a subject so interesting as the conduct of the early Christians, in reference to direct contribution to the support of heathen idolatry. Marcus, the bishop of Arethusa, a city in Syria, having, during the reign of Constantius, been ac-

Case of Marcus of Arethusa.

* Tertull. Apolog. cap. xliii. Reeves’ translation, vol. i. pp. 323, 324. 8vo. Lond. 1716.—Vide Note XXVIII.

tive in destroying a heathen temple in that city, and remarkably zealous in promoting the interests of Christianity, had brought upon himself the extreme dislike of the Pagan citizens. On Julian's assuming the purple, he was subjected to severe persecution, to avoid which he fled, in accordance with the command of our Lord.* On finding, however, that his flock were exposed to great hardships on his account, he returned, and was commanded to rebuild the temple, or pay the expense of having it rebuilt. He obstinately refused to do either; and submitted to the most excruciating tortures even to death, rather than contribute one *obolus* to such a purpose, "thus resisting unto blood, striving against sin."†

Of our information, then, on the interesting subject of the conduct of the primitive Christians, in reference to the payment of tribute for the direct support of idolatry, which was the established religion of the empire,—“this is the sum.” The only tax avowedly imposed for the support of idolatry, to which we have reason to believe any of the primitive Christians were liable, we have equal reason to believe they refused to pay, though by doing so, they exposed themselves to severe persecution. To have acted in any other way would have been utterly incongruous with their behaviour as to military service, and their scrupulous care to avoid every thing which could be

Recapitulation.

* Matt. x. 23.

† Sozomen, Hist. Lib. v. c. x. p. 194, Folio. Cantab. 1720. Theodorit. Ecc. Hist. Lib. iii. c. vii. pp. 128, 129, Fol. Cantab. 1720.—Vide Note XXIX.

PART II. construed into a sanction of idolatry in any of its innumerable forms. On the supposition, which is in the highest degree probable, that when the apostle wrote, the Christians were not subject to any tax levied avowedly for the support of idolatry, it is obvious that the apostolic command to pay all civil tributes, could not contain in it an injunction to pay such a religious tax, should it afterwards be imposed ; and even on the supposition, which is in the highest degree improbable, that the Christians were at that time liable to such an impost, the general command to pay civil tribute, no more bound them to pay such a tax, when demanded by the magistrate, than the general command to yield civil obedience, bound them, when ordered by the magistrate, to burn incense on an idol's altar ; both commands being limited by the great fundamental principle of human duty. In fine, while there is no evidence—nor the shadow of it, that the primitive Christians paid tribute for the specific purpose of supporting idolatry, there is evidence both direct and collateral on the opposite side ; the direct evidence proving that, in the only case in which we have reason to think that such tribute was demanded, it was refused at the expense not only of property but of life—torture and death being submitted to in preference to the violation of conscience, felt to be involved in paying it ;—the collateral evidence proving that the payment of such a tribute had it in other cases been demanded of them, would have been utterly incompatible with their principles and feelings, strongly and habitually express-

ed in their self-denying abstinence, at whatever expense, from every practice which had the slightest idolatrous taint, however innocent in itself, and however conducive to their temporal interests. PART II.

A second limitation under which the law of tribute was binding on the Roman Christians, was the legality of the imposition and collection of the tribute. They were not morally bound to pay any taxes not imposed by the authority, to whose province, according to the constitution of the Roman imperial government, this department of administration belonged, nor to pay taxes to any, but to those appointed for this purpose. Without sin they might submit to what they knew to be oppression; but if they paid in these circumstances, it was rather “for wrath” than for “conscience’ sake,” not from any direct obligation, but from the general obligation that, in morally indifferent actions, we are bound to do what upon the whole is likely to be followed by the best consequences. Second limitation.

The only other set of limitations with respect to the payment of tribute, rises out of the magistrate’s transgressing the proper limits of his province, and interfering in matters not belonging to him. Under this head, as well as the first, come all taxes for the support of religion,—that being an affair with which the civil magistrate, in his public character, has no concern.* Third limitation.

* “If it be a right of kings and rulers to prescribe the creed and manner of worship, with its appendages, to their subjects, and to enforce their concurrence, it must be equally the right of all kings; for they all think, or profess to think, their own re-

PART II.

On the supposition that the Roman Christians were called on by the Roman government to pay taxes specifically for an immoral purpose, or ille-

ligion to be the true religion. Again, if it be the duty of Christian kings and rulers to prescribe these things to their subjects, it is equally the duty of all kings, and for the same reason. This is the *palladium* of those who oppose establishments, and how shall we deprive them of it?" These are the words of a candid and liberal churchman—the Rev. Thomas Scott the commentator, in a treatise "On the Evil of Separation,"—quoted by Conder, in his judicious work on non-conformity. The following illustration of the principles, by the witty Robinson of Cambridge, is an amusing example of the "reductio ad absurdum:"

Suppose a modern clergyman, animated with the spirit of Paul, should go on a mission to the savages of Canada; what method would he use to establish the faith? Whether he went to the Algonquins, whose kingdom is elective; or to the Hurons, whose kingdom is hereditary, it would be immaterial; in both he would find a chief magistrate, who has nothing to do to cure a refractory subject, but to say to one of his guards, "Go and rid me of that dog." Considering what influence the tyrant's rank naturally gives him, he would endeavour to conciliate himself to him first, and to obtain, if possible, his good graces. He would for the present content himself with secretly abhorring a savage despotism, which he could not control, and probably would avail himself of Hobbes' maxim, who used to say, that "if he was in a deep pit, and the devil should put down his cloven foot, he would take hold of it, to be drawn out by it." Suppose his majesty should indulge him with an audience, would he dare say to him, "Sire, I am an ambassador of the Great Spirit who made, who preserves, and who after death will judge and reward or punish all mankind. The obedience which he requires is partly dictated by men's consciences, and fully explained in this book in my hand; a book which the Great Spirit commanded to be written for our instruction, and received under pain of his displeasure. Your majesty, however, has the same authority in this nation as other kings have in their dominions, and it remains with you to determine whether these things be true or false. Not only have none of your subjects a right of examining and determining for himself, but I myself, consistent with my notion of your majesty's supremacy, am ready to renounce all, but what your majesty believes, as long as I am in

gal taxes, or taxes for a purpose which does not lie within the sphere of the legitimate objects of civil rule,—what was the line of conduct which duty pointed out to them? In reference to the first case, there was no alternative—they must not obey—they must die rather than sin: with regard to the other cases, they might pay or not pay as they were of opinion that greater advantage to Christianity and the interests of society would flow from payment or non-payment. In every case, however, I apprehend they were bound not to resist the Roman government, which, with all its defects and faults, had been declared by an inspired apostle, to be God's ordinance to them.

Such was their duty; and we have reason to

your dominions?" Oh, say you, all this is nothing to the purpose: A king has no right over conscience *quatenus* king—but *quatenus* Christian king: without this just distinction you will be able to prove, that if a Canadian king be wrong, his subjects, however, are right, for they do what God requires, that is, they submit their faith and conscience to *the king as supreme*. Very well. See now what all your fine theory comes to. Suppose a Jesuit should convert the king, has he a right to establish Christianity as the Papists profess it? No, say all the reformed churches. The right belongs to him *quatenus* Protestant Christian king. *Quatenus* Episcopalian, says one—*quatenus* Presbyterian, says another. Not at all, says a third, whose voice ought to silence all, "Render unto Cæsar the things that are Cæsar's, and unto God the things that are God's."—*Robinson's Arcana, Letter IV. On Civil Magistracy*, pp. 50–52. Lond. 1782.

"The just pretensions of magistrates," to use the language of Robinson's great successor, "in this respect surely are equal; nor can any reason be assigned for denying that authority to heathen or popish princes, within their dominions, which will not equally apply to Protestant princes."—*Hall on the Right of Worship. Works*, vol. iii. p. 386.

PART II. believe, that they most conscientiously performed it,—they cheerfully paid all civil imposts; and if a regard to the divine law forbade them to give their substance, equally as their bodily exertions, to the support and service of idols, they calmly took the consequences, and were spoiled of their goods, or “tortured not accepting deliverance,” “knowing in themselves that they had a more enduring substance,”—preferring poverty and death, with a good conscience, to wealth and life without it.*

What are
these things
to us?

We turn now to the examination of a question, at all times of importance, and in the circumstances in which we at present stand, of peculiar interest. What are these things to us? Holding, as we well may do, that the government under which we live, is the ordinance of God to us, we can have no difficulty in saying that we are equally bound as the Roman Christians,—in one point of view, we are more strongly bound than they, inasmuch as we derive incomparably greater advantages from the government we live under, than they did from that under which they lived,—to be cheerful and conscientious in the payment of civil tribute.

* The conduct of the primitive Christians cannot be better described than in the words of the anonymous tract formerly quoted (pp. 83, 84). “Tributa, vectigalia, munera, oneraque consue-
ta non detrectant, modo id tributū, quod Deo debent, non interver-
tatur. Cæsari Cæsarem agenti parent. Cæsari fines suos excee-
denti, alienum imperium affectanti, Dei solium invadenti, supe-
riorem amborum Dominum bello petenti, parere injustum, pu-
tant.”—*Vindiciæ Contra Tyrannos*, pp. 59, 60.

Tribute is necessary to the permanent existence of civil government, and the attainment of its ends. "There can be no peace," says Jeremy Taylor, paraphrasing a sentence of Tacitus, "without laws, no laws without a coercitive power, no power without guards and soldiers, no guards without pay; and that the soldiery may be paid, and the laws revered, and the power feared, and every man's right secured, it is necessary that there be tribute."* We are bound then to pay civil taxes,—all civil taxes;—we must not refuse to pay them,—we must not attempt to evade them. They are due to the government, and the debt must be honestly paid. We are to exercise the same conscientiousness, in making such payments, as in discharging our private debts.†

PART II.

Our obligation to pay tribute.

* Taylor's *Ductor Dubitantium*, Book iii. Chap. 2. Rule 8. p. 517. Fol. Lond. 1676.—Tacitus' words are: "Nec quies gentium sine armis, nec arma sine stipendiis, nec stipendia sine tributis habere possent."

† The truth on this subject is stated with remarkable precision by Dymond, whose valuable *Essays* are much less extensively known, at least in this end of the island, than they deserve to be. "The authority of civil government, as a director of individual conduct, is explicitly asserted in the Christian Scriptures. By this general sanction of civil government, a multitude of questions respecting human duty are at once decided. In ordinary cases, he upon whom the magistrate imposes a law, needs not to seek for knowledge of his duty upon the subject from a higher source. The divine will is sufficiently indicated by the fact, that the magistrate commands. Obedience to the law is obedience to the expressed will of God. He who, in the payment of a tax to support the just exercise of government, conforms to the law of the land, as truly obeys the divine will as if the Deity had regulated questions of taxation by express rules. But the authority of civil government is a subordinate authority. If from any cause, the magistrate enjoins that which is

PART II.

It is deeply to be regretted, that this view of the matter, though theoretically admitted by almost all, is by no means so extensively acted on. "How many are there, and professing Christians too, who would be exceedingly shocked with any thing approaching to dishonesty or fraud in their mercantile transactions, who would spurn from them the slightest imputation against the honour of their dealings, with a frown of indignant scorn,—whose consciences are wonderfully easy, and unembarrassed with scruples, in all that relates to the pecuniary claims of government,—who with little, if any hesitation, dispense with the fulfilment of these, on grounds which would not stand for a single instant before any other description of obligation; nay, who even study the arts of evasion, give scope to their inventive ingenuity, and smile with conscious self-complacency at the prudence and cleverness of its devices; and reckon any thing fair, when the object is merely to de-

prohibited by the moral law, the duty of obedience is withdrawn. 'All human authority ceases at the point where obedience becomes criminal.' The reason is simple; that when the magistrate enjoins what is criminal, he has exceeded his power: 'the minister of God' has gone beyond his commission. There is in our day no such thing as a moral *plenipotentiary*.—To disobey the civil magistrate is, however, not a light thing. When the Christian, conceives that the requisitions of government and of a higher law are conflicting, it is needful that he exercise a strict scrutiny into the principles of his conduct. But if upon such scrutiny, the contrariety of requisitions appears real, no room is left for doubt respecting his duty, or for hesitation in performing it. With the consideration of consequences, he has then no concern: whatever they may be his path is plain before him."—*Essays on the Principles of Morality*, Essay I. P. i. Ch. 1. Vol. i. pp. 115-119. Lond. 1830.

fraud government, to gull a revenue officer, or, as PART II. it is vulgarly termed, to cheat the king.”*

It has been most justly said, that “to defraud our governors, in the discharge of taxes, is to rob the public,—it is to rob all the inhabitants of the land,—it is to rob our honest neighbour, who must discharge his portion of new taxes, rendered necessary by the dishonesty of those men who do not sustain their full share of the existing burdens. Indeed, to purchase smuggled or contraband goods, is not only to rob the public, but it is to commit a sin resembling that of buying articles that are stolen. It is to purchase that which does not legally belong to the seller. It is to encourage him to persevere in his habits of iniquity.”† If, as may not unfrequently be the case, particular taxes are unequal and oppressive, it cannot be wrong—in many cases it is an important public duty—to employ all constitutional means, to have the tax modified or repealed; but while it is the law of the land, the law of the Lord requires us to obey it.

But while all sound-minded men hold these views, and all right-hearted men act under their influence, it does not at all follow that even under a government which, from its well answering, upon the whole, the ends of civil rule, is undoubtedly God’s ordinance to us, pecuniary requisitions cannot be made, which it may be our duty not to comply with. We have indeed been lately told,

Is that obligation unlimited?

* Wardlaw’s Sermon, p. 9.

† Gisborne’s Sermons on Christian Morality, Ser. xiii. p. 246. Lond. 1809.

PART II. from an authority which should be a very high one, that this is a principle which we cannot be permitted even to discuss—"a question not admitting, on Christian principles, of argument or debate."* The time is gone by, we rather think, for prescribing with effect such limits to the range of free inquiry, on any question of this kind. Men are not now in the habit of requesting permission on these occasions, either from their civil or ecclesiastical superiors; and any attempt to give advice on such a subject, where it is not asked, especially when there may be some ground for suspecting that the advice is not altogether disinterested, will rather quicken than slake the appetite for full information.

The question
a fair one.

In truth, why should we be backward to make any principle the subject of fair and full investigation? The burning words of Milton are equally applicable to our times, as to those in which they were spoken. "The temple of Janus, with his two controversial faces, might now not insignificantly be set open. And though all the winds of doctrine were let loose to play upon the earth,

* Memorial of the Clergy of Edinburgh.—All clergymen are not of their mind. An English prelate writes thus: "It is a question *which might admit of serious discussion*, whether the majority of the members of any civil community have a right to compel all the members of it, to pay towards the maintenance of a set of teachers appointed by the majority to preach a particular system of doctrine."—*Quarterly Review*, Vol. xxix. p. 525. The English prelate seems much less High Church in his views than the Scottish Presbyters. He had Ireland, however, in his view, where the "majority" principle (however well it may suit the church's interests for England), if followed out, would lead to rather alarming results.

so Truth be in the field, we do injuriously to misdoubt her strength. Let her and falsehood grapple : who ever knew Truth put to the worse in a free and open encounter ? Her confuting is the best and surest suppressing. Who knows not that Truth is strong, next to the Almighty ? She needs no policies nor stratagems to make her victorious ; those are the shifts and the defences error uses against her power. Give her but room, and do not bind her when she sleeps ; for then she speaks not true, as the old Proteus did, who spake oracles only when he was caught and bound, but then rather she turns herself into all shapes except her own, and perhaps tunes her voice according to the time, as Micaiah did before Ahab, until she be adjured into her own likeness.”*

The attempt to put down the doctrine that the law of tribute has limits, by representing it as opposed to a principle so settled that it must never again be touched, will not only, I believe, prove a fruitless one, or rather produce fruits of an opposite kind to those sought for, but it is in direct opposition to the great body of Christian moralists, with whose works I am acquainted, who generally hold that paying tribute, with other forms of civil obedience, is not of unlimited obligation, and seem to fear no immediate disorganization of civil order, either from the promulgation of the doctrine, or from its being acted upon.

Opinions of
Christian moralists.

“ It is not our duty (*οὐδε δεῖ*),” says Theodoret, Theodoret.
“ to obey the magistrate in every thing ; but

* Areopagitica, a Speech of Mr John Milton, pp. 35, 36. 4to. Lond. 1644.

PART II. *while we are bound to pay tax and tribute, and to render honour to them who deserve it, should they enjoin any thing sinful, we must determinedly gainsay them.*"*

John Knox.

John Knox, addressing the nobility of Scotland in the name of the "congregation of Christ Jesus within the same," says, in reference to the Popish established clergy, "If they be 'evil trees,' as ye yourselves must be compelled to say they are, advise prudently with what consciences ye can maintain them. The name and cloak of authority which ye pretend, will nothing excuse you in God's presence, but rather shall ye bear double condemnation, for that ye burden God, as that his good ordinances were the cause of your iniquity."†

M^cWard.

In the pithy language of our persecuted ancestors, "Tyrant's exactions, enacted and exacted for promoting their wicked designs against religion and liberty: hireling's salaries, for encouraging them in their intrusion upon the church of God: arbitrary impositions of pecuniary punishments for clear duties,—are nowise due, and cannot be debt, and therefore it is no equity to pay them."‡

Jeremy Taylor

Bishop Jeremy Taylor, who will scarcely be accused of being too lax a casuist on questions of this kind, expressly states, that "the laws of tribute have the same conditions, causes, powers,

* Theodoret in Tit. iii. 1.

† History of the Reformation in Scotland, by John Knox, p. 118. M^cGavin's edit. 8vo. Glasgow, 1831.

‡ M^cWard and Brown in the Hind let Loose, p. 703.

and measures, with other laws of government. PART II.
 This rule requires that the authority be supreme,
 —that the cause be just,—that the end be public,
 —that the good be general,—that the people receive advantage.”*

In his “Compendious View of Natural and Revealed Religion,” a respected ancestor of my own, whose views with regard to the powers of the magistrate went a good deal farther than mine go, in his enumeration of the duties of subjects to their magistrates, mentions, “(3.) Subjection to their *just* laws,—(4.) Cheerful payment of their *just* taxes:” thus obviously placing tribute on the same level as other forms of civil duty; and intimating that, in his opinion, it might be made a question, whether unjust laws should be obeyed, and unjust taxes paid.”†

“God,” says President Dwight, “has wisely and benevolently required mankind to render tribute and custom, *when lawfully* demanded.”‡

Unterrified, then, by the attempt to warn us off this field of discussion, as too sacred to be made debatable, we proceed to inquire, whether the laws of tribute have any limits to us, and if so, what they are? And first, then, I apprehend, that on the clearest principles of moral obligation, we are not—we cannot be bound to pay a tax levied for a specific purpose, if that purpose is immoral or impious; and every thing must be

Brown of Haddington.

Dwight.

First limitation,—the avowed immoral object of a tax.

* Taylor's Duct. Dubit. p. 519.

† Brown's Compendious View of Natural and Revealed Religion, p. 542. Glasgow, 1782.

‡ Dwight's Theology, vol. iv. p. 153. Vide Note XXX.

PART II. regarded as such by us, which, according to our honest convictions, possesses these qualities.

Taxes for
specific ob-
jects inexpe-
dient

The imposition of taxes, for specific purposes, is a mode of administering government which suits only a very imperfect or a very advanced state of civil society. Where the great body of the people are ignorant, and have been accustomed to take the mere will of the rulers as a sufficient reason for yielding obedience, it may be safe enough ; or, where both the magistrates and the subjects are so enlightened, as that the former are not likely to enter on any unjust or unwise enterprise, and the latter are sure not to be disposed to withhold the due support to every enterprise that is wise and just—it may not only be safe, but advantageous.

But in such a state of things as prevails in the best constituted communities the world has ever yet seen, when governors will occasionally, either intentionally or unintentionally, seek not the best ends by not the best means, and when subjects are often ill qualified to judge on such points, and too much under the influence of selfishness to let even such judgment as they possess fairly exert itself, there can be no doubt that by far the best arrangement is to raise the necessary revenue under the general name of tribute, for the support of all the functionaries, and gaining all the ends of government.* Had this been the case in this

* HOBBS seems to have seen this distinctly, so far as war-taxes are concerned. “ Pecunia, belli causa, si civitatem salvam esse volumus, tempore pacis congerenda est.”—*Elementa Philosophica de cive*, C.xiii. S. viii. p. 220. Amst. 1647.

country, much uneasiness and much debauching of conscience would have been saved, and the general machine of government would have proceeded more smoothly on its way. There is One, however, who brings good out of evil; and it seems not impossible that the very objectionableness of the arrangement, will prove the means of soon putting an end to an improper expenditure, which, had the funds been raised in a less exceptionable way, might have been protracted to an indefinite period.

Among the many extraordinary attempts which have been made in this controversy, one of the strangest has been the endeavour to show that the circumstance of the tax being avowedly levied for a specific purpose, admitted to be sinful, makes no alteration in the moral character of paying the impost. Is there no difference in my giving my property for what I consider one of the most important of sublunary good things—the maintenance of regular civil government, and my giving my property for one of the worst of sublunary evil things—the desecration of religion, and the perdition of souls? One would think every person who venerates apostolic authority must consider the question as settled. Eating flesh, even though offered in sacrifice, if the individual was unaware of this, was quite lawful. “What is sold in the shambles that eat, asking no questions for conscience’ sake. But if any man say unto you, This is offered in sacrifice to idols, eat not for his sake that showed it and for conscience’ sake.”*

The specific object of a tax may affect the morality of its payment.

* 1 Cor. x. 28.

PART II. On the same principle, let the magistrate demand money of me for the general purposes of government, and I will conscientiously give it him ; but if he say, Give me money to do what is impious and immoral, I cannot, without sin, give it, though, without sin, I may suffer it to be taken from me.*

War taxes. On this ground all war taxes, *i. e.* all taxes for the support of a particular war, are objectionable. In many cases, wars have been obviously unjust. In the estimation of some of the best and wisest men the world has ever seen, all wars are necessarily unjust. I cannot see how any man can consistently pay taxes levied avowedly for the support of an unjust war ; and I am sure, a very great part of the subjects of any government are ill fitted to form a true judgment with respect to the character of a particular war. It is far wiser to impose general taxes : for in proportion as men become more intelligent and more conscientious, the difficulty in obtaining payment for such taxes, as are levied for objects respecting the lawfulness of which doubts are entertained, except by means calculated to make a government odious, will increase. Perhaps, however, the present system of providing for the expense of belligerent operations, by specific taxes, may be permitted to continue, and the growing difficulty of collecting such taxes may be one of the means to be employed by the Prince of Peace, to put an end to war among mankind.

Tax for the support of idolatry.

A tax for the support of idolatry, is another in-

* Vide Note XXXI.

stance in point. This is the case put by Dr PART II.
Watts in his excellent "Essay on Civil Power in Things Sacred:" "If a heathen prince impose a tenth penny on all his subjects, as a tax to maintain heathen worship, would a Christian willingly pay it, and think himself bound in conscience to do it?"* The good Doctor puts it in the interrogative form, under the impression that the question could be answered only in one way. Well acquainted as he was with the strange tortuosities of the human mind under the power of prejudice,† he little dreamed that just about a hundred years after the publication of his valuable tract, a Christian man, denying like him the lawfulness of Ci-

* A New Essay on Civil Power in Things Sacred, or an Enquiry after an Established Religion consistent with the Just Liberties of Mankind, and practicable under every form of Civil Government. Works, vol. vi. p. 24.

† "The doctrine of Prejudices" is discussed with great judgment in the third chapter of the Second Part of Dr Watts' Treatise on Logic. The following picture is very forcibly sketched. Every body, but the original (who lives in our age as well as in Dr Watts') will recognise it. "By what means soever the dogmatist came by his opinions, whether by his senses or his fancy, his education or his own reading, he believes them all with the same assurance that he does a mathematical truth; he has scarcely any mere probabilities that belong to him; every thing with him is certain and infallible: every punctilio in religion is an article of his faith, and he answers all manner of objections by a sovereign contempt. Persons of this kind are seldom convinced of any mistake. A full assurance of their own notions makes all the difficulties on their side vanish so entirely, that they think every point of their belief is written with sunbeams, and wonder how any one should find a difficulty in it. They are amazed that learned men should make a controversy of what is to them so perspicuous and indubitable. The lowest rank of people, both in learned and in vulgar life, is very subject to this obstinacy."—*Logic*, P. ii. C. 3. § 6. 1. Works, vol. v. p. 105.

PART II.

vil Establishments of religion, should publicly declare that were the self-called Christian government of Britain to impose a tax for the maintenance of the most impure and cruel of all heathen idolatries, he would consider it his duty to pay it, and would cheerfully do so as a piece of obedience to Jesus Christ. Most men would consider this as rather an extraordinary way of "honouring the Lord with his substance." An opinion like this is in no danger of making converts, except among those who have a very strong predisposition to receive it; and on such persons experience seems to teach that any thing like reasoning is thrown away.

Tax for the support of a civil establishment of religion.

The limitation of the obligation of the law of tribute, however, which at this time has the strongest claims on our attention, is that which, in the estimation of many, exists, in the case of taxes imposed for the support of a civil establishment of a particular modification of religion. This question, in its own nature highly interesting, involving in it many most important fundamental principles of religion, psychology, morals, government, and political economy, is peculiarly interesting at present, as its right settlement is necessary to the safe quiet of many consciences, and may have a most powerful influence on the ultimate arrangement of the great practical measures, which, sooner or later, must be taken in this country and throughout Europe, in reference to the complete disseveration of Church and State.

The religious establishments of this country.

Every body knows that in this country two forms of Christianity—that embodied in the

Articles and Liturgy of the Church of England, PART II.
 and that embodied in the Westminster Confession, Catechisms, and Presbyterian form of Church government—have received the formal sanction of the civil authorities of the empire,—the first in England and Ireland, and the second in Scotland,—and public provision has been made for the support of the religious buildings, and ministers, necessary for the performance of public worship according to these forms. That provision chiefly arises from a tax on land, under the name of tithe or teind, and in some places, as in this city, from a tax on a certain class of the inhabitants—rated according as they reside within certain limits, and occupy houses paying a certain rent.*

The great body of those who were most actively engaged in settling the two Protestant Establishments, were, as every one knows who has studied the history of this country, not chiefly actuated by religious principles—they sought secular ends in a secular spirit. Even the truly religious men, who took part in these transactions, had their minds very imperfectly, if at all, enlightened in the spiritual nature of Christ's kingdom, and in the proper limits of civil dominion. Glad to be delivered from a spiritual tyranny which had converted the secular power into its slave, they too readily gave that power an authority, in reference to the church, to which it had no just claim, and thankfully received as favours what, if they had been better informed, they would have resisted as usurpations of Christ's authority. When dissent

Views of their
founders.

* Vide Note XXXII.

PART II. made its appearance, the ground on which it rested was rather dissatisfaction with the corruptions of the Establishment, than disapprobation of the Establishment itself; and in consequence of this, there was little conscientious scruple as to the support of that which, though seen to be at present corrupt, was considered as capable of being converted into an important instrument of good.*

Views and
conduct of
the Friends.

The Friends, commonly called the Quakers, from the commencement of their existence as a separate religious body, have held the principle of the inconsistency of a civil Establishment of religion with the essential principles of Christianity, and with beautiful straight-forwardness, have followed out their conviction to its fair practical consequences, by refusing, at all hazards, every thing like positive support to a system, which they conscientiously condemned.†

Progress of
the Volun-
tary princi-
ple.

The true fundamental principle of dissent—the voluntary principle—steadily but gradually made its way among the denominations of Christians, whom the corruptions of the Establishments had driven from their communion, till it has become almost a universal characteristic. Notwithstanding this, with the exception of a very few individuals, the great body of these denominations continued to pay the religious taxes; and the defences, or rather apologies, to be met with for their conduct in their writings, show how very willingly they clung to any thing which wore the appearance of a reason, which could excuse them from taking a course, which must have exposed

* Vide Note XXXIII.

† Vide Note XXXIV.

them not only to obloquy and spoiling of their goods, but which must have broken up many pleasant and useful connexions which they had formed with Churchmen. Few things have amazed me more than the flimsiness of the pretexts under which Dissenters have attempted to escape from the charge of inconsistency, and “building again the things which they had destroyed,” in contributing to the support of a system which they both implicitly and explicitly, condemned as unscriptural, unjust, and impolitic.*

PART II.

Of late the attention of the Christian public, in both ends of the island, has been strongly turned to this subject; and I am sure I do not overstate the truth when I say, that in few questions are the minds of conscientious men at present more painfully interested, than how far they are warranted, by the voluntary payment of church taxes, to contribute to the permanence of an order of things, which they are fully persuaded is inconsistent with the mind of God and the law of Christ Jesus.† That the civil Establishment of religion in any form is so, is my firm conviction; and though it is no object of this lecture to discuss that point,—already in my estimation enough has been said to show, that this conviction rests on immoveable foundations.‡

Is the payment of church taxes consistent with that principle?

The question which is now before us, is not whether civil Establishments are in accordance with or in opposition to the will of God; but whether a person, who is conscientiously con-

The question stated

* Vide Note XXXV.

† Vide Note XXXVI.

‡ Vide Note XXXVII.

PART II. vinced that they are not accordant with,—that they are opposed to that will,—is morally bound, or can even safely consent, to pay a tax specifically imposed for their maintenance. The determination of this question depends on the circumstance, whether in the estimation of the individual, and in truth, the voluntary payment of a tax for that specific purpose, is, on his part, to sanction and support that which he accounts to be sinful.

—and resolved.

I most cordially agree in the sentiment expressed with his usual terseness and force, by my much esteemed friend and brother, Mr Marshall, to whom so prominent a place has been assigned in this holy warfare, and who has so worthily fulfilled its difficult duties ; that to make it the obvious duty of a man to refuse payment of a tax levied for ecclesiastical purposes by the civil power, a conviction both that its object is sinful, and that its payment is an implied approbation of that object, is necessary : “ Though we be convinced that ecclesiastical demands are unjust, and impolitic, and oppressive, we are not warranted on Christian principles,” I would rather say, not bound by Christian principles, “ to refuse compliance with them, so long as they are the law of the land. We are warranted, indeed, in such a case, and not only warranted but required, to use every exertion to have the law repealed ; yet the method of passive resistance, as it is called, seems not a constitutional but vexatious method, calculated to embarrass the civil government, and therefore not to be resorted to” except where duty compels, “ by

those who wish to lead quiet and peaceable lives, PART II.
 in godliness and honesty. On the other hand, if
 the law which sanctions the ecclesiastical demands
 be regarded as a sinful law; if it be considered
 as invading the prerogatives of God and of his
 Son Jesus Christ; if the government which makes
 and enforces it, appears to step beyond its proper
 sphere, and to legislate where no earthly autho-
 rity should dare to intermeddle—in that case, it
 would seem that to yield *active compliance* would
 be to violate every principle of duty, and to obey
 men rather than God.”*

The only two principles on which the conduct
 of a person who conscientiously disapproves of
 civil Establishments, can be defended in paying a
 tax for their support, are, either that the payment
 of a tax is not a moral act, or that though it is,
 it does not imply in it any sanction to an undue
 interference with the prerogatives of God or of his
 Son Jesus Christ. The first of these principles
 has already been fully discussed, and, I apprehend,
 satisfactorily disposed of.†

The most plausible form which the second of
 these principles assumes, is this;—that the civil
 government, in establishing a particular form of
 religion, does not interfere with the prerogatives
 of God, or the laws of Christ, or the rights of con-
 science at all, but merely employs a certain class
 of religious teachers, as a species of moral police,
 for the prevention of crime and the promoting of
 good order. This seems to be Warburton’s argu-
 ment, who says, “that it is unjust in any who are

A civil Es-
 tablishment
 of religion
 not a moral
 police.

* Marshall’s Reply to Inglis, p. 282. † Pp. 132–134 *supra*.

PART II.

not of the Established Church to refuse payment of tithes, as they contribute to the maintenance of opinions different from their own, because this maintenance is not assigned by the public for the support of opinions, but for the use and necessities of the *state*: With as good reason, therefore, might they refuse to pay other taxes which, in their several applications, are for the same *civil* purpose. The difference is only accidental: church officers happen to have religious opinions, and civil officers sometimes none.”*

This statement, though it is in some degree specious, is not at all satisfactory. For, in the first place, the assertion is not true. What is established, or pretended to be established, by public civil authority in both countries, is not a moral police; but the Christian religion, and the Christian church. The doctrines of the one, and the ordinances of the other, are sanctioned and

* Warburton's Alliance, Book ii. Chap. iii. pp. 124, 125.—Warburton saw clearly that on no other principle could the *justice* of requiring Dissenters to contribute to the support of an establishment be maintained. He distinctly states, “that no contribution to a public maintenance, could be lawfully demanded of those who are not members, of an *unestablished* church; for in this case it would be indeed for maintenance of opinions which they think erroneous: *to which no one can be obliged to contribute*: as they justly may to what by covenant and compact is expressly directed to promote the good of that civil policy of which they are members.”—P. 126. According to the Bishop, if a tax is exacted for the maintenance of certain religious opinions solely, then no one who disapproves of these, can be obliged to contribute. On this principle he would have decidedly condemned *regium donum*, and parliamentary grants to dissenting bodies. It is only as civil functionaries that clergy can have any claim on public support—and to make them civil functionaries, they must be allied to the State.

enacted by the powers that were. It was the avowed declaration of the legislatures when the Establishments were formed, that they were to be exclusive; and it was their will that God should not be worshipped in these realms, except in the manner which they had sanctioned.* Even on the supposition which the progress of knowledge and liberty has happily converted into fact, that I am not compelled to listen to and profess their doctrines, nor to engage in their ordinances; can I shut my eyes on the foul dishonour thus done to the Head of the church, and the deep injury inflicted on that portion of my Christian brethren (for I am not ready to unchristianize all members of Established churches), who may be connected with such institutions? In every Established church, where compulsory provision prevails, the financial law of Christ's church is repealed. In every Established church, where a civil sanction is given to religious truth, the rights of conscience and of God are insulted and invaded. In all Established churches, the laws of Christ in reference to the admission and exclusion of members, are in a great measure put in abeyance, and the

* The following quotation from Act 69, Parliam. 6. Jam. VI. sufficiently proves these assertions in reference to the Scottish Establishment:—"There is no other face of kirk, nor other face of religion, than is presently at this time, by the favour of God, established within this realm, which therefore is ever styled God's true religion, the true and Christian religion, and a perfect religion, which, by manifold acts of Parliament, all within this realm are bound to profess and subscribe, recanting all doctrines and errors repugnant thereto;" and "all magistrates, sheriffs, &c." are ordained to "search, apprehend, and punish all contraveners."

PART II. whole order of the institution, as essentially a voluntary society, subverted.* To an enlightened Christian, a civil Establishment of Christianity must seem of all devices the best calculated, while retaining the name of that religion, to neutralize and counteract its effects, both in converting the world and edifying the church.

It manifests a great deal of "voluntary humility," on the part of the Established ministers of religion, to be content to be considered as "a moral constabulary," hired by the civil government to keep the lieges in order; but we cannot shut our eyes to the fact, that this is not the place which, in the system they are desirous to uphold, they are intended to occupy.† According to that

* This conviction seems to have forced itself on the mind of some good men, who yet never left the Established Church. The following notice in Boston's *Memoirs*, is interesting:—"Having purposely studied the question, Who have right to baptism and are to be baptized, I wrote my thoughts thereon also. And being one day in conversation on that head with Mr William Bird, dissenting minister at Barmoor, in England, he presented to me Fulwood's *Discourse of the Visible Church*, for clearing me. Bringing home the said book with me, I considered it, and wrote also some animadversions on a part of it. From that time I had little fondness for national churches, strictly and properly so called, as of equal latitude with the nations; and wished for an amendment of the constitution of our own church, as to the membership thereof."—*Memoirs of the Life and Writings of Thomas Boston*, Per. viii. p. 141. Edin. 1813.

† The phrase "moral constabulary" is of clerical coinage. The late Dr Inglis has the credit of giving it currency. It calls up Richard Baxter's cutting remark: "I thought it once a scornful indignity, that some fellows attempted to put upon the ministry, that denied them to be ministers of Christ, and would have had them called the ministers of the state, and dealt with accordingly. But it seems they did not much cross the judgments of some of the ministers themselves, who are ready to

system, they are the sole legitimate ministers of religion in the land where they dwell; the doctrines they preach, or ought to preach, the only true doctrines; the ordinances they administer, the only genuine ordinances: and till I can bring myself to believe all this, I cannot conscientiously support either them or their system. PART II.

But supposing that the statement were true, that a civil establishment of Christianity were just a system of moral police, I could not conscientiously support it. I believe that Christianity can do more than all the institutions of civil government to promote the security and happiness of mankind; but it must be Christianity in her true character, like her Author, “not of this world,” come from heaven, going to heaven, and, during her sojourn on earth, by her truth, understood and believed, enlightening the mind, transforming the character, guiding the conduct of its inhabitants. “Christianity,” to borrow the profound thoughts and beautiful words of Robert Hall, “Christianity will civilize, it is true; but it is only when it is allowed to develop the energies by which it sanctifies. Christianity will inconceivably ameliorate the present condition of being—who doubts it? Its universal prevalence, not in the name, but in reality, will convert this world into a semi-paradisaical state; but it is only while it is permitted to prepare its inhabitants for a better. Let her be urged to forget her celestial origin and destiny—to forget that she came from

Though it were, a consistent Dissenter could not support it.

put the same scorn upon their own calling.”—*Baxter's Gildas Salvianus*, p. 222. Lond. 1656.

PART II.

God, and returns to God ; and whether she be employed by the artful and enterprising as the instrument of establishing a spiritual empire and dominion over mankind, or by the philanthropist as the means of promoting their civilization and improvement—she resents the foul indignity, claps her wings, and takes her flight, leaving nothing but a base and sanctimonious hypœcrisy in her room.”* In transforming what should be a Christian church into a system of moral police, there is involved, on the part of the church, unfaithfulness in submitting, for “filthy lucre,” to a degradation her Lord has not warranted ; and, on the part of the State, folly in weakening the civilizing influence of the church by the very means professedly employed to increase and perpetuate it.†

Even on the principle held by some good men, that an ecclesiastical civil Establishment, is a mere creature of man—a thing with which religion, at least the religion of Christ, has nothing to do—that her clergy are not, and cannot be his ministers,—and her members are not, and cannot be his people : even on this principle, I do not see how an enlightened Christian could be vindicated in voluntarily supporting the civil government, in setting up such a caricature of the Christian religion and the Christian church. Could he ever bring himself to support the State, if it should conceive that a scenic representation on our theatres of the facts of the gospel history, and among the rest

* Hall’s Address to Eustace Carey. Works, vol. i. pp. 312, 313.

† Vide Note XXXVIII.

the crucifixion, and the divinely appointed commemoration of it, was well fitted to serve the purpose of general civilization? This would be but a somewhat exaggerated form of the profanation, that, to a fearful extent, does prevail, and must prevail, in all civil Establishments. To me it appears as clear as any such point of practical truth can be expected to be, that to men conscientiously persuaded that a civil Establishment of religion necessarily implies usurpation of Christ's authority, on the part of the government who forms it, and neglect and disobedience of his laws on the part of those who avail themselves of it,—when called on to pay a tax for its support, there remains but one choice—"not to be parties to the act, but to submit to the penalty."

This plain affair has been involved in perplexity by statements about the vested rights of the church and churchmen—and the hazards in which property in all its forms would be involved, were church taxes generally refused to be paid.* There is really no mystery in the matter. The tithe or teind, is a tax on land of very ancient date. The man who buys land, buys it with this burden, and with whatever prospect there may be of its being lightened or removed:—while it continues he must pay it, or he must take the consequences of not paying it,—and this is the whole of it. If the requisition is not only essentially unjust, but involves him who pays it in guilt, length of time cannot change its nature, and the law can scarcely hold him to be a bad subject who says,—though

Vested rights
of the church
and church-
men consi-
dered.

* Vide Note XXXIX.

PART II.

I cannot conscientiously pay this tax, you have the power of taking it from me; and whatever I may think of the exertion of such a power, I will use no unconstitutional means to escape from its consequences. With regard to the annuity-tax in this city, it is obviously merely a tax on a certain portion of the inhabitants, rated on them according as they live within certain limits, and occupy houses of a particular rental. The man who conscientiously refuses to pay it, does not resist the law;* he merely says, I cannot without sin voluntarily pay this tax: if any of my property goes for such a purpose, it must be taken from me. And no man who chooses to buy property burdened with tithe, or to occupy a house, the rent of which subjects him to the Annuity, in the slightest degree violates his duty as a peaceable subject, when he refuses, voluntarily to pay either, leaving it to the law, or those interested in the execution of it, to see to what they may account their own rights and interests.†

Indeed, this attempt to mystify a plain question, is but a particular exemplification of one leading character of the system,—its tendency to entwist itself with all the arrangements of civil society, so as to make it all but impossible to live in a country where it prevails, without getting entangled and polluted by it. Its prophetic symbol is represented as commanding, that “no man

* “There may be a refusal to obey, where there is no resistance.”—*Ewing on the Duty of Christians to Civil Government*, p. 15.

† Vide Note XL.

might buy or sell, save he that had its mark," PART II.
 either in his hand or in his forehead.* The image
 of buying and selling naturally describes the en-
 joyment of civil rights in the affairs of this world,
 and the enjoyment of these, every Establishment
 seeks more or less to appropriate exclusively to
 those who receive its mark. It is surely quite
 enough, while such a system continues, if those
 who disapprove of it, patiently bear the inconve-
 niences and injustice done them, in their persons
 and properties. It is rather hard, to be told, that
 they have no right to hold certain properties or
 to occupy certain houses; and that they cannot
 submit peaceably to the penalty of what they ac-
 count an unjust law, without being calumniated
 as movers of sedition, and enemies of the public
 peace.

A second limitation under which the law of
 tribute must be understood is, that we are not
 morally bound to pay an illegal tax. There are
 few men now who regard the conduct of Hamp-
 den, in refusing to pay ship-money, when illegally
 demanded by Charles the First, with any other
 sentiments than those of admiration and grati-
 tude—or who contemplate with other feelings
 than contempt and disapprobation, the faithless
 monarch, and his still more unprincipled minister,
 the apostate Strafford, who wished “ Mr Hamp-
 den well whipped into his right senses;” and “ if
 the rod,” says he, “ be so used, that it smart not,
 I shall be the more sorry.”† The necessity of

Second limi-
 tation—the
 illegality of a
 tax.

* Rev. xiii. 17.

† Lord Nugent's Memorials of Hampden, Edin. Rev. vol. liv.
 p. 525.

PART II.

such an interference, we trust, will not soon return; but if it should, Hampden is not likely to want followers. Submission to an illegal tax, as to any other act of oppression, is not necessarily wrong; in particular cases, it may be undoubtedly right, though in no case, where the government is essentially free, should the injustice be submitted to, without protest against it, and the employment of constitutional means for redress.

Third limitation—the object of the magistrate's office.

The only other limitation is that, which originates in the magistrate going entirely out of his sphere, and imposing taxes for purposes with which he, as a magistrate, has nothing to do. All taxes for the support of religion come under this head as well as the first.*—Because they are taxes for a purpose with which the magistrate, in his official character, has nothing to do, we are not morally bound to pay them, as because they are taxes for a purpose we account sinful, we are bound not to pay them.†

* “It is not a whit more equitable, though it may be less cruel and absurd, to compel Dissenters to contribute to the revenues of the Established Church, than it would be to compel them to conform to its doctrines, its worship, and its government. The latter is only a greater stretch of usurped authority. The civil power has just as much right to compel the one as to compel the other. If it has no right to coerce a man's religious profession, it has none to tax him for the support of its own. Once admit the right of private judgment; and then the right to choose, and to give effect to that choice, by exclusively voluntary means, follows as a matter of course. Now, as civil government is necessarily distinguished by compulsory authority, and is ordained for civil society only, if it shall presume to employ its coercive powers in religious matters, it transgresses its proper bounds, and becomes unjust and oppressive.”—*Dr Russell's Speech at a Meeting in Dundee*, p. 10.

† Vide Note XLI.

To the question, can it ever be the duty of Christians to resist the payment of tribute, it is enough to reply—that it does not appear at all an impossible thing, that a government, by its extravagant and wicked expenditure, and unjust and burdensome impositions, may become an intolerable nuisance; and that even a single very unreasonable and oppressive tax, may bring the State into imminent hazard, and make it a question with the wisest and best of the citizens,—what is the course which, in such circumstances, they ought to adopt? The tax for the support of the Episcopal Establishment in Scotland, was one cause of the overthrow of the government which enacted it; and I am not prepared to condemn the conduct of our forefathers, at the revolution of 1688, nor, though decidedly disapproving of fighting for religion, even of those of them who fell in the noble attempt to free their enslaved country, at a previous period. The names of Russell, and Sidney, and Argyle, are not less honourable and honoured, than those of their more fortunate successors.*

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May a Christian resist the payment of tribute in any case?

* The elaborate yet feeble attempt of Mr Plumer Ward, in his “ Historical Essay on the Real Character and Amount of the Precedent of the Revolution of 1688,” to tarnish the fair fame of these worthies, can produce but little effect; but the mere fact of such a thing having been produced and published, at this time of day, proves the importance of reiterated statements of the principles and their grounds, on which these noble-minded men counted not their lives dear to them. We trust that the Queen’s Historiographer for Scotland, in the continuation of his great work, will take an opportunity of exposing the inaccuracies of this calumniator of these martyrs of patriotism,—as well as the still grosser misrepresentations by the author of “ Montrose and

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I am sure the attempt to uphold such an Establishment, as that which is the shame of Ireland's government, and the curse of her inhabitants—an Establishment condemned and hated by a prodigious majority of those for whose benefit it ought to exist, if it exist at all,—by the means through which that Establishment has long been upheld, would, if persisted in but for a few years, in either of the other two departments of the empire, produce revolution. Any attempt to compel a people to support an institution, especially an ecclesiastical institution, which calls into operation the deepest and most powerful springs of human action, conscience and religion, to which even a large proportion of the people, though not a majority, is decidedly opposed, is so obviously hazardous, that we cannot doubt that the growing light, as to the principles of government, will prevent our rulers from carrying such an experiment to the point of danger. The sooner they give up the experiment altogether, they will find it the better for the peace and prosperity of the country.

Our Lord's
precept and
example.

Our Lord's precept and example have been appealed to as authorizing, and even requiring the unrestricted payment of tribute ; and it has been asserted, that no Christian can refuse to pay a tax, even for what he accounts a sinful purpose,

the Covenanters," of the martyrs of religion in that dark period of our history. It is a work for which the historic research—acuteness—and love of liberty, manifested in his writings, pre-eminently qualify him,—a work worthy of his talents and acquirements, congenial with his principles, and appropriate to his office.

without “violating a positive precept of his Divine Master, and turning his back on his example.”* These are strong words; let us see if they are supported by correspondingly strong arguments. Our Lord’s precept is recorded in Matthew xxii. 16–22; and his practice is described in Matthew xvii. 24–27.

“And they sent out unto him their disciples with the Herodians, saying, Master, we know that thou art true, and teachest the way of God in truth, neither carest thou for any man: for thou regardest not the person of men. Tell us therefore, What thinkest thou? Is it lawful to give tribute unto Cæsar, or not? But Jesus perceived their wickedness, and said, Why tempt ye me, ye hypocrites? Show me the tribute-money. And they brought unto him a penny. And he saith unto them, Whose is this image and superscription? They say unto him, Cæsar’s. Then saith he unto them, Render therefore unto Cæsar the things which are Cæsar’s; and unto God the things that are God’s. When they had heard these words, they marvelled, and left him, and went their way.”

“And when they were come to Capernaum, they that received tribute-money came to Peter, and said, Doth not your master pay tribute? He saith, Yes. And when he was come into the house, Jesus prevented him, saying, What thinkest thou, Simon? of whom do the kings of the earth take custom or tribute? of their own child-

* Note, Edin. Advertiser, Nov. 24, 1837. Vide Documents, No. VI.

PART II. ren, or of strangers? Peter saith unto him, of strangers. Jesus saith unto him, Then are the children free. Notwithstanding, lest we should offend them, go thou to the sea, and cast an hook, and take up the fish that first cometh up; and when thou hast opened his mouth, thou shalt find a piece of money: that take, and give unto them for me and thee."

Precept. With regard to the first of these passages, the inquiry proposed to our Lord, which was obviously intended to entrap him, referred to the *κηνσος*, an annual capitation tax, imposed by the Roman government. They who proposed the question hoped that, however he might reply to it, they would find occasion either to denounce him to the multitude, or accuse him to the Roman government. Instead of directly answering the question, he requested them to show him a Roman *denarius*, a coin in common use among the Jews at that time. On its being produced, he asked whose image and name and titles it bore, and on being told that they were Cæsar's, he uttered these words, so full of truth and wisdom, "Render to Cæsar the things that are Cæsar's, and to God the things that are God's."

Some interpreters have supposed that these words of our Lord were not intended to be a reply to the question at all, and that they are indeed, what is ordinarily called, a dexterous go-by—an evasion of a question which it is felt not to be wise or safe to answer. I concur with those expositors who consider our Lord as really replying to the question, but giving the reply in the

form of a general precept, including the particular case referred to, and couched in such terms as there was no possibility of objecting to, with any appearance of plausibility. It is as if our Lord had said, ‘The common circulation of Cæsar’s coin among you, shows that you stand in a certain relation to him as your ruler. Perform all the duties which are due to him in that relation ;’ but, at the same time, glancing at the Herodians, who carried their compliance with the will of their Roman governors to an undue length, in following some of their heathen customs, he adds, “Render to God the things that are God’s.” ‘Do not let your obedience to Cæsar interfere with your obedience to God.’ We have no reason to believe that, at this time, any tax specifically for the support of idolatry, was exacted from the Jews. Certainly the *κτηνος* was not a tax of this kind—and the second part of our Lord’s precept, in our apprehension, is equivalent to a distinct prohibition to pay any such tax ; for that would have been to have rendered to Cæsar the things which are God’s.

The tribute, the payment of which by our Lord Example. is the subject of the second paragraph of the Gospel history above cited, was not this census. The great body of learned expositors* are of opinion, that it was the half shekel, which, by an exposition of Exodus xxx. 12, scarcely defensible on sound hermeneutical principles, the later Jewish doctors held every adult Jew bound to pay annu-

* Lipsius, Beza, Casaubon, Grotius, Simon, Hammond, Le Clerc, Kuinoel.

PART II. ally to the temple. The *διδραχμα*, was a coin of the value of half a shekel. The collectors of this tax, who, according to a Talmudic tract, “on the 15th of the month Adar, sat without Jerusalem, and quietly asked half a shekel from every person, not using violence to any who did not give it; but, from the 25th day, sat in the Holy City, and urged every one to give till he complied, or if he made excuses, did not grant him his request, but took even his garment to pledge;”^{*}—these collectors came to Peter, and asked him if his Master paid the Temple tax. Peter, without consulting his Lord, answered in the affirmative. On entering the house where Jesus was, Peter was made to understand that his Master was aware of all that had happened, by an intimation from him that the demand which had been made on *Him* was a very unreasonable one. “Of whom do the kings of the earth take custom or tribute? Of their own children”—*i. e.* of their own families—“or of strangers?” *i. e.* of those who do not belong to their families,—the great body of the subjects? Peter gave the natural reply—“of strangers.” “Then,” said our Lord, “are the children free.” The application was obvious. ‘It is very incongruous to apply to *me* for a tax, to uphold my Father’s palace!’ “Notwithstanding, lest we should offend,” stumble “them” who do not know who I am,—go, cast a hook into the sea, and in the fish you bring up you will find enough to discharge their demands, both for me and for yourself!

^{*} Tract. Talmud. Schekalim. ap. Wetstein et Kuinoel in loc.

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It must seem strange that either of these passages should have been referred to, as supporting the doctrine that men are to pay tribute, even when it is exacted for a specific object, of which they conscientiously disapprove. In the first case, our Lord, in answer to an ensnaring question, merely says,—‘ You ought to render to the Roman government all its rights,’—a precept which, if it include civil tribute, as I believe it does, places it on the same footing as all other acts of civil obedience; and adds what is just equivalent to a declaration,—‘ whenever obedience to Cæsar comes into collision with obedience to God, there can be no question which is to be preferred.’ There is no direct reference to a tax for supporting idolatry, but there is what is equal to a declaration,—‘ if such a tax should be imposed, you are not to pay it.’

Neither, favourable to the doctrine of the indiscriminate and unrestricted payment of tribute.

In the second case, we have our Lord paying a religious tax, a tax for the support of the temple, not because he was bound to pay it, for he distinctly says he was not, but because, in the whole circumstances of the case, it was better for him to pay it, than not to pay it, there being nothing sinful in the object for which the tax was levied; though he was not within its legitimate sphere. It was indeed a contribution, for the support of an ecclesiastical Establishment, which was then in a very corrupted state—but that ecclesiastical Establishment had a divine sanction, which no other national church can plead, and notwithstanding all its corruptions, was the only church God had at that time on the earth. When such

PART II. an establishment is pointed out, we will not hesitate to support it. It is surely impossible, fairly to deduce, from this fact, the conclusion, that Christians are bound or even warranted to pay taxes for what they account a sinful object; but it is quite a legitimate inference, that in many cases it is their duty to submit to be defrauded, rather than throw obstacles in the way of the spiritual advantage of mankind.

Thus have I attempted, with all the clearness in my power, and all the brevity which the subject admitted, to expound to you the law of Christ respecting the payment of tribute, as stated by his inspired apostle; in its bearing, first, on the circumstances of those to whom it was originally addressed, and then, on the circumstances of ourselves and others, in all countries, and in all ages.

The honour
and fear due
by Christians
to the magis-
trate.

Before closing the discourse, it may be proper to make a few observations on the bearing of that part of the Christian law, "Render honour to whom honour is due—fear to whom fear is due," on the duty of persons placed in our circumstances. Respect for civil magistrates for "their works' sake" is due, as well as high esteem to Christian ministers for the same reason. Such is the reverence due to the authority of the laws, that every individual to whom a portion, though it be a small portion, of that authority is delegated, has a claim on respect. To "despise government" and to "speak evil of dignities," are sins most decidedly condemned in the law of Christ; and the Christian apostle has given his sanction

to the command of the Jewish lawgiver, "Thou shalt not speak evil of the rulers of thy people."* PART II.

It is always desirable, that the personal character of the magistrate should give additional lustre to his official dignity, while it is deeply to be regretted that the follies and faults of those who fill public stations have so often exerted a most pernicious influence, in diminishing the authority of the laws by making it impossible, personally to respect their administrators; and it is difficult to say, whether Christianity has suffered most from her professors and ministers basely flattering bad men because they held influential stations, or, from them breaking forth into unseemly vituperation, and ribald abuse, when the possessors of power have not adopted the course of conduct which appeared to them most fitted to support their opinions, to promote their designs, and to advance their interests. It is a curious fact, that the same individuals have generally been ready to commit these faults in their turn.

"Thus," to borrow the words of an illustrious defender of civil and religious liberty about a century ago, "have I endeavoured to give a just account, of what the Apostle Paul hath in this chapter delivered concerning 'the duty of civil obedience, especially in the payment of tribute;' and though some may perhaps be apt to call this by the name of politics, and to censure it as foreign to our office, and this place (which they are sure to do then only, when their own notions are

Conclusion.

* Exod. xxii. 28; Acts xxiii. 5.

PART II. contradicted) yet I must declare, that I cannot think it an unbecoming, or even an unnecessary part of our care, to settle the measures of Christian duty in all cases, or to endeavour to give a true explication of what so great an Apostle has delivered with some vehemence, and as a matter of great importance. All that I have now attempted is, to explain what an inspired person wrote : and if this explication be just, the censure must light at last on the Apostle himself ; who, I cannot but think, knew very well what became his office, and what belonged to his province.”*

In taking leave of this subject, I, in the name of my Master, our common Lord, charge all, under my pastoral care, “ that they be subject to principalities and powers ; that they obey magistrates ; that they make supplications, prayers, intercessions, and giving of thanks, for kings, and all in authority ; that they submit themselves to every ordinance of man, for the Lord’s sake, whether it be to the King as supreme, or unto governors, as those sent by him for the punishment of evil doers, and the praise of them that do well ; for so is the will of God, that with well-doing they put to silence the ignorance of foolish men. As free, and not using their liberty as a cloak of maliciousness, but as the servants of God. Honour all men. Love the brotherhood. Fear God. Honour the king.”†

The Seceders of Scotland, like the Dissenters of England, have often been calumniated as dis-

* Hoadly’s Measures of Submission, p. 11.

† Tit. iii. 1 ; 1 Tim. ii. 1 ; 1 Pet. ii. 13–18

affected to government, by men who, conscious PART II.
that their own loyalty was the offspring of selfishness, were indisposed and perhaps incapacitated to give others credit, for principles less mercenary, or more generous than those which they knew to actuate themselves. The conduct of these two sister bodies is the best answer to such calumnies; and ought to put these calumniators to silence, if it cannot put them to shame; and I trust, that long after the names Churchmen and Dissenters are known only as the record of an unjustifiable distinction, which, originating in ignorance and selfishness, and producing impious assumption and cruel oppression, on the one side, and degrading submission, or unmerited suffering, on the other, ought never to have existed, and has been forever destroyed,—our descendants will continue to make it evident that they are loyal subjects, because they are Christian men—that they “honour the king,” because they “fear God”—that their loyalty is fully as much a principle as a feeling, not a childish admiration of pomp and splendour, nor a weak attachment to a particular individual or family, nor a sordid calculating regard to self-interest; but an enlightened reverence for civil government, as a wise and benignant ordinance of God, and a manly respect for those who in his providence are appointed to discharge its functions; and that while they “render to Cæsar the things that are Cæsar’s, they will” never “render to” any but “God the things that are God’s.”



APPENDIX
OF
DOCUMENTS AND NOTES.

APPENDIX.

PART FIRST.

DOCUMENTS ILLUSTRATIVE OF THE OCCASION OF THE PRECEDING TREATISE.

DOCUMENT I.

PROTEST PUBLISHED IN THE SCOTSMAN NEWSPAPER, JAN. 2, 1836.

THE subscriber, minister of the United Associate Congregation, Broughton Place, having paid the sum of £3 : 0 : 6, with which he was charged by the Chamberlain of the city, under the name of Annuity, for payment of the stipends of the Established Clergy,—to prevent misconception and to exonerate himself, thinks it necessary to make the following statement :—

Holding that, on the principles of general equity, as well as of Christian law, it is the duty of subjects to pay without grudging the taxes imposed by their governors for general purposes, even although the public revenues may not, in every case, be wisely and righteously administered—he equally holds, that, on the principle, “ We ought to obey God rather than man,”—when a tax is imposed for a specific purpose, which in the estimation of him from whom it is demanded, is sinful, it becomes his duty, not indeed to resist the Government, but to take such measures as shall make it evident to all, that if his property be employed in promoting such a purpose, it is so, only in consequence of “ the spoiling of his goods.”

Without reference to the subscriber's objections to that particular Ecclesiastical Establishment which prevails in this country, it is his conscientious belief, that “ a compulsory support of religious institutions is inconsistent with the rights of men, the nature of religion, the

spirit of the Gospel, and the express law of Jesus Christ." For him voluntarily to do any thing which would virtually deny or compromise this principle, would be a violation of his convictions of duty ; and could this have been avoided in no other way, he would have considered it imperative on him to submit to the restraint of his property, or the imprisonment of his person,—should those who unfortunately are interested in the execution of what he accounts an unjust law, have thought fit, in his case as in others, to carry matters to such extremes.

Convinced, however, that all the desirable ends of such a passive resistance, may be answered by a public protest, he takes this method of declaring, that he has not voluntarily paid the tax, which he considers as a most unwise and oppressive means of gaining an unauthorized and unrighteous end ; and that he regards the exaction of it from himself, as a wresting from him his property, to serve an unjust purpose,—a punishment inflicted for the factitious crime of dissent—a fine extorted for holding certain religious principles, and, to make the injustice and insult more intolerable, that fine appropriated to the support of a system—that of the compulsory maintenance of religious institutions—which he conscientiously condemns,—in one word, "PERSECUTION FOR CONSCIENCE SAKE."

JOHN BROWN.

Edinburgh, 53, Albany Street, Dec. 30, 1835.

DOCUMENT II.

STATEMENT MADE AT THE PUBLIC MEETING IN ROSE STREET
CHURCH, OCT. 19, 1837.

I am the only minister of the United Secession Church in this city, liable to be assessed for the annuity tax. I have not paid it, and while I retain my present convictions, I never will pay it.

My non-payment of this tax, and my determination not to pay it, do not originate in any doubt as to the obligation of paying the taxes imposed by the Government of the country where we reside ; or as to the immorality of attempting to evade such payment. I consider it my duty, and I have always readily performed it, to pay whatever taxes the legislature impose for the general purposes of Government. I should think it my duty to do so, even though I thought a particular tax unwise and unequal, and though I were much dissatisfied with many of the measures, in the prosecution of which the revenue of the

country was expended. In this case, I might think it right to employ such means as the constitution afforded me for getting rid of the unwise and unjust tax, and putting an end to the improper expenditure ; but while the tax continued to be legally exigible, I would pay it “ not only for wrath, but for conscience sake,”—not only because I wish to avoid punishment from men, but because I am afraid of contracting guilt before God.

Nor do my non-payment of the annuity tax, and my determination not to pay it, arise from any hostility to the Established Church of this country, as a religious body. Approving, with comparatively slight exceptions, of her avowed creed, worship, and government, so far as she conforms to these, I cordially wish her success, in her strictly religious objects ; and were my aid necessary, I should willingly give her more, than she employs the hard hand of the law to wrest from me, to assist her in purely voluntary exertions to promote religion either at home or abroad.

Still less, if possible, do my non-payment of the annuity tax, and my determination not to pay it, spring from any personal unkindly feeling towards the ministers of the Establishment of this city. From my heart I pity them, in having those incomes, so well earned by some of them, raised in a way which must be as painful to their feelings as honourable men, as it is calculated to frustrate the great object of their spiritual labours ; and most sincerely do I wish that, in this respect, they were as happily situated as myself,—that their livings were derived from the influence of Christian truth on the minds and hearts of their hearers,—a mode of support, the quality of which, like that of mercy, “ is not strained, but droppeth as the gentle rain from heaven,—being twice blessed, blessing both him who gives and him who takes.” I have had but little opportunity of forming an estimate of the value of the services of these ministers ; but of those of them with whom I am best acquainted, I so highly rate both the talents and the worth, that were there any hazard of these being lost to the public, I should account it an honour to take part in endeavouring, by voluntary exertion, to avert the evil.

The reason, the sole reason, why I have not paid, and, with my present convictions, never will, never can, pay it, is simply that I cannot do so without offering violence to a conscientious conviction, not rashly nor hastily arrived at. I might hesitate about paying this tax, on a ground, on which many, who do not hold my views with regard to compulsory churches, do hesitate,—the ground of its very questionable legality,—but I readily acknowledge, that were that my only

difficulty, I should pay the tax rather than expose myself to the varied unpleasant consequences which are likely to result from my refusal to pay it, though I would still consider it my duty, to assist in having the question respecting its legality, tried before the proper tribunal.

But I conscientiously disapprove of civil establishments of religion in every form. This tax is avowedly imposed for the support of an Established Church,—a Church from which, though she were, in every other respect, all that I could wish, which is far from being the case, I should find myself bound to secede, merely because she is established. I cannot then voluntarily pay this tax, without appearing to sanction what I really condemn. Were the tax exacted for general purposes, and then appropriated by the Government to this specific object, though I could not but disapprove of such an arrangement, and would consider it as my duty to endeavour constitutionally to have it altered, I could pay the tax without interfering with my conscientious conviction. In that case I would part with my money not to do what I think wrong,—support an Established Church,—but to do what I think right,—support the Divine ordinance of civil government. If they to whom the management of the public funds is, by the constitution of the Government committed, misemploy them, that, so far as it is a question of moral responsibility, is more their concern than mine. But it is obviously otherwise with a tax professedly levied for an object, which I consider as not only impolitic, but unjust,—not only unjust but unscriptural. For me voluntarily to pay such a tax would be to assist in doing what I believe God disapproves,—it would be in inversion of the inspired maxim, “to obey” man “rather than” God.

It is the reverse of wisdom in a Government to bring itself into collision with the conscientious convictions of its subjects; and if, either through ignorance or disregard of the inalienable rights of conscience, it does so, the dissatisfaction thus necessarily produced, is, under the superintendence of that wise and benignant Providence which is still educating good from evil, at once an intimation to the rulers that they are wrong, and ought without delay to retrace their steps,—an intimation which, if they are not very foolish, they will not disregard,—and a call to the subjects to employ the constitutional means to have the oppression removed,—the abuse corrected,—a call which, if they are not very stupid and slavish, they will not be slow to obey. In the meantime, however, while the tax continues to be exacted, professedly for what I consider an unjust and unscriptural purpose, it is my

duty, not indeed to resist the Government, but “to take such measures as shall make it evident to all, that if any portion of my property be employed in promoting an object of which I conscientiously disapprove,—it is only because I have been ‘spoiled of my goods.’”

But it may be said, you have paid this tax,—and why not pay it again? It is true, that I did pay it, but not voluntarily. I accompanied my payment of it with a public declaration that I considered it as an “unwise and oppressive means of gaining an unauthorised and unrighteous end,—that I regarded the exaction of it as a punishment inflicted for the factitious crime of dissent—a fine for holding certain religious principles, and, to make the injustice and the insult more intolerable, this fine appropriated to the support of a system,—that of the compulsory maintenance of religious institutions,—which I conscientiously condemned,—in one word, ‘persecution for conscience sake.’” I did this under the conviction, whether well or ill founded, that all the desirable ends of what is termed passive resistance might be answered by such a public protest. That appeared to me then, and it appears to me still, to be as *real* a manifestation of my disapprobation of the object, and of my submission to my property being taken from me for that object, merely because I could not retain it, as the restraint of my goods or the incarceration of my person could have been.

It may be asked why, then, do you not pay the tax again under a similar protest? For this plain reason, that I am convinced from experience that all the desirable ends of passive resistance have not been gained in this way, and that a stronger manifestation, both of the iniquity of the system, and of my abhorrence of it, is likely to be made, by permitting those who are unhappily interested in the execution of what I account an unjust law, to avail themselves, if they so please, of whatever powers the law may give them to punish me for my conscientious conviction. I consider it my duty not only to keep my conscience “void of offence,” which my public protest did; but to do this in the way most calculated to produce the greatest degree of good as well as the least degree of accompanying evil. On these principles I have not paid, and while they continue unaltered, I never will pay the annuity tax. Such is the path which my conscientious convictions have chalked out for me. I call on no man to follow me farther than he is a participant with me of these convictions. “Let every man be fully persuaded in his own mind.” “Happy is he who condemneth not himself in that thing which he alloweth.”*

* Rom. xiv. 22.

DOCUMENT III.

LETTER ADDRESSED TO THE REV. DR JOHN BROWN, IN THE
EDINBURGH ADVERTISER OF NOV. 14, 1837.

SIR,—In the account of the late meeting in Edinburgh to oppose the annuity tax, it is stated that you expressed a determination never to pay it again, as you “could not do so without offering violence to your conscientious conviction,” and that you “resisted the tax from the fear of contracting guilt before God.” This resolution is directly contrary to Scripture, and tramples under foot one of the great laws of the kingdom of Christ. That a Christian, with the injunctions of the Apostles on this subject before his eyes, should fear to contract guilt by paying tribute, is truly astonishing. I shall refer only to Romans xiii. 1-7, and shall merely quote the passage. The meaning is so clear, that any attempt to evade it must be utterly forced and unnatural. The conscience that can resist it, must be either not in subjection to the Word of God, or greatly in ignorance of that Word.

“Let every soul be subject unto the higher powers; for there is no power but of God: the powers that be are ordained of God. Whosoever therefore resisteth the power, resisteth the ordinance of God: and they that resist shall receive to themselves damnation. For rulers are not a terror to good works, but to the evil. Wilt thou then not be afraid of the power? do that which is good, and thou shalt have praise of the same; for he is the minister of God to thee for good. But if thou do that which is evil, be afraid: for he beareth not the sword in vain: for he is the minister of God, a revenger to execute wrath upon him that doeth evil. Wherefore ye must needs be subject, not only for wrath, but also for conscience' sake. For, for this cause pay ye tribute also: for they are God's ministers, attending continually upon this very thing. Render, therefore, to all their dues; tribute to whom tribute *is due*; custom to whom custom; fear to whom fear; honour to whom honour.”

I am aware that many expedients have been resorted to, to limit the application of this apostolic rule; but it is a law of Christ, expressed with a fulness and precision beyond that which is to be found on almost any other subject; and it is at his peril if any man rebel against it.

You, Sir, hold a very responsible situation as a minister of a numerous congregation,—as an influential member of a large denomination, and as one who is employed officially in training young men

for the ministry ; and if on so momentous a question your conscience is misinformed, how mischievous must be the influence of your doctrine and conduct. I am shocked with your determination of going to prison, rather than pay a tax of which you disapprove. What an example is this to your congregation ! What an extensive and pernicious effect must it have, not only on your own denomination, but on Christians in general ! What mischief is it calculated to excite in social life ? To what violence and bloodshed may it not lead ? Is this like the doctrine and conduct of the Apostles and first Christians ? Can any thing be conceived more opposite ? Your views of the Scriptural way in which the religion of Christ ought to be maintained, you have a right to promulgate and defend by argument. But to resist a tax imposed by the government under which you live, is to rebel against Christ,* and in the end may kindle the flames of civil war. You may attempt to excuse yourself as you will, but it must be evident to those who tremble at the Word of God, and understand the import of the passage above quoted, that a more flagrant violation of the divine law has seldom been exemplified than in the line of conduct which you have adopted, and the deliberate purpose which you have avowed.—I am, Sir, your most obedient Servant,

ROBERT HALDANE.†

Randolph Crescent, Nov. 13, 1837.

* Vide Note XLII.

† I have been publicly accused of want of fairness in not inserting among these documents the other letters addressed to me by this gentleman ; but these letters are in no proper sense documents respecting my refusal to pay the annuity tax. The above letter, and the anonymous Note, No. VI. were inserted, not because their authors had any right to expect their insertion, but merely, because their insertion was necessary to enable the reader to understand some of the subsequent documents. The conceit of authorship is proverbial—but a more amusing instance of it has seldom occurred, than in the broad hint, that the non-insertion of these letters arose from a fear lest the contrast between the strength of their author's arguments, and the weakness of mine, should produce its appropriate effect on the minds of my readers. My cause can scarcely be more effectually served than by giving publicity to his statements, as containing the pith of all that can be said against it,—and, on this account, I cannot help considering those, who, by their subscriptions and personal exertions, have secured not only the printing but the circulation of so many of his letters, as efficient, though unintentional assistants in the attainment of the great object I have in view. These letters can convince none but those who had no doubts before they commenced their perusal,—and they are well fitted to excite doubt where it did not previously exist, and where it did, to ripen it into disbelief. *Such* an adversary is a powerful auxiliary. My assailant complains, too, that I

DOCUMENT IV.

LETTER TO THE EDITOR OF THE EDINBURGH ADVERTISER.

53, Albany Street, Nov. 16, 1837.

SIR,—As a correspondent in your paper of Tuesday last has made very serious charges against me, both as a Christian minister and a member of civil society, justice requires that I should have an opportunity of defending myself where I have been arraigned. I should not likely otherwise have obtruded myself on your notice; but, in these circumstances, I make no apology for asking, as a matter of right, that you will publish, with as little delay as possible, the subsequent observations.

In the communication referred to, I am charged by your correspondent with having expressed “a resolution which is directly contrary to Scripture, and tramples under foot one of the great laws of the kingdom of Christ,—a law, the meaning of which is so clear, that any attempt to evade it, must be utterly forced and unnatural;” with “having a conscience either not in subjection to the Word of God, or greatly in ignorance of that Word;” with “setting an example which must have an extensive and pernicious effect, not only in my own denomination, but on Christians in general,—to excite mischief in social life,—to lead to violence and bloodshed;” with teaching “doctrine” and “adopting a line of conduct,” than which “nothing can be more opposite to the doctrine and conduct of the Apostles and first Christians;” with “rebelling against Christ;” with doing what “in the end may kindle the flames of civil war;” with, in fine, “a more flagrant violation of the Divine law” than has been often exemplified; and all this aggravated by my “responsible situation as a minister of a large congregation, an influential member of a large denomination, and one who is employed officially in training young men for the ministry.”

The man of whom all this is true, is not only unfit for office, but have not kept faith with him in allowing him “uninterrupted by me to rail on.” The complaint is unfounded—I never engaged to permit a mis-statement to pass uncorrected—but I have kept my promise, and will keep it. The King’s command seemed to be, “answer him not.”* To him I have, therefore, never answered a word—and till he manifest a very different spirit never will. Why should I? He has not convinced me—and, I have not, I never had, the slightest hope of convincing him. “He is,” as Mr Locke says of Sir Robert Filmer, “a gentleman past answering.”

* 2 Kings xviii. 36.

is unworthy of membership in a Christian church. He is a proper object of the jealous *surveillance* of the civil authorities; and it must be from some defect in the laws, or in their execution, if his personal liberty be not the just forfeit of his unprincipled attempt to disturb social order. But on what grounds are these "many and grievous complaints" laid against me, and how are they proved? They rest entirely on the *fact*, that I have publicly avowed my conviction that a Christian ought rather to submit to the spoiling of his goods, to the incarceration of his person, and even to the loss of his life,—than voluntarily pay a tax, by whatever authority imposed, for a specific purpose, which he believes to be sinful, and declared my determination to act on that conviction in reference to the annuity tax; and on the *assertion* of your correspondent that this avowal and determination is inconsistent with the law of Christ respecting subjection to civil government, and the payment of tribute, as laid down by the Apostle Paul in the first seven verses of the thirteenth chapter of his Epistle to the Romans. The *fact* is admitted, the *assertion* is denied.

Were the precept in question, unlimited, or were what I count an exception not included in its legitimate limitations, I must plead guilty, not indeed to the whole indictment, but still to an important, though unintentional violation of Christian law. But the law respecting obedience and tribute is not an unlimited one, and the course of conduct which my conscientious convictions have prescribed to me, is included among the exceptions. The law indeed, *so far as expression is concerned*, is unlimited. No exception is specified. But there are many divine laws expressed without limitation, that yet admit of exceptions. If this be not allowed, then works of necessity and mercy, contrary to our Lord's express statement, are unlawful on the Sabbath day; and human life, in no circumstances, ought to be taken away, for the fourth and sixth commandments of the decalogue are as unlimited in their expression as the law of Christ now in question. Christian wives are required by the Apostle, to be "subject to their own husbands *in every thing, even as the Church is to Christ*," and Christian servants are commanded to "obey *in all things* their masters according to the flesh." Yet, surely, to say that these precepts, though unlimited in their expression, are yet to be understood with many exceptions in particular cases,—that no command either of a husband or a master can make it the duty of a wife or a servant to do what is sinful,—and that all such precepts must be understood with the limitation implied in the principle "we ought to obey God

rather than man," could not be justly represented as "an utterly forced and unnatural attempt to evade the meaning" of the word of God.

The general command, "Let every soul be subject to the higher powers," like the parallel precepts, "Be subject to principalities and powers,—obey magistrates,—submit yourselves to every ordinance of man for the Lord's sake," &c. is, so far as I know, *now* (for it was once otherwise) universally admitted to have its limits, and to have these limits distinctly defined by the principle just referred to. No human authority can make it safe or innocent to violate the divine laws of religion, justice, truth, purity, temperance, and charity.

The particular command, "Pay tribute also,—render tribute to whom tribute is due," must be understood with the same limitation as the general command of obedience to magistrates, of which payment of tribute is a constituent part, unless it can be made out, that, from some peculiarity in the case, paying tribute never can be, in any circumstances, inconsistent with the divine law,—never can involve in it a violation of any of its precepts. Your correspondent seems to hold this principle. He seems to suppose that magistrates cannot possibly impose any kind of tribute which it would be sinful to pay; for he expresses astonishment "that any Christian should fear to contract guilt by paying tribute." To *assert* this, and he has not *proved* it, is just to take the very point in question for granted—an easy, but not a very satisfactory way of settling a dispute. Were this but proved, then, indeed, every person who, for whatever cause, or on whatever pretence, should refuse to pay tribute, would be a violator of the law of Christ. But he who makes such an assertion without proving it, is obviously guilty of the paralogism commonly called begging the question. It will not do to say the command has no express limitation,—for the general command which includes this particular one, is equally unlimited in its terms, and yet is allowed to admit of exceptions; so that, unless it can be proved that there is something in payment of tribute which distinguishes it from other acts of obedience to the magistrate, it must still be held that, like other forms of civil obedience, it may, in certain circumstances, become inconsistent with the higher obligations of religion, or truth, or justice. That no such peculiarity exists, seems abundantly obvious. To command a person to employ his property in doing that which, in his estimation, is sinful (and this is just the case of a tax for a specific purpose, which, in the opinion of him from whom it is required, is a violation of the law of God), to a man of plain common sense seems

an act of the same kind as to command him to employ his hands in doing that which, in his estimation, is sinful, and I really think "expedients must be resorted to" in order to persuade him that to comply with the first command is right, while to comply with the last command is wrong.

The primitive Christians, who were very single-minded, simple-hearted men, seem to have recognised no such subtle distinction. "Tertullian tells them" (*i. e.* the Gentile magistrates), I use the words of Doctor Cave in his *primitive Christianity*, "that though they (*i. e.* the Christians) refused to pay the taxes rated upon them for the maintenance of the heathen temples, yet for all other tributes they had cause to give the Christians thanks for so faithfully paying what was due; it being their principle to abstain from defrauding others, in so much, that should they examine their accounts, how much of the assessments were lost by the fraud and cozenage of them of their own party, they would easily find that the Christians' denial to pay that one tax was abundantly compensated, and made up by the honest payment of all the rest."* Thus it was in primitive times; Christians readily paid the taxes for general purposes, but a tax for a specific purpose, which they accounted sinful, they did not, they would not pay. And I cannot doubt that the principles of genuine Christianity in many who at present are dissatisfied with my conduct, would manifest themselves in the same way, if a tax for a specific purpose, universally admitted to be sinful by Christians, were attempted to be imposed on them. Were the Government of Britain to lay an impost on the inhabitants of this country, for the avowed and sole purpose of supporting those impieties and impurities, and cruelties which form the worship of Juggernaut, would British Christians have no scruple in paying it, and would they be easily persuaded that the preferring being spoiled of their goods to paying it, was indeed "a trampling under foot one of the great laws of Christ's kingdom?" In such a case there might be the payment of the money required; but the Christian duty of paying tribute becomes morally impossible. Nothing is Christian duty which is not cheerfully performed. But surely a Christian must do violence to every principle of his new nature; he must exercise a kind of self-denial very different from that which his Lord enjoined, before he could cheerfully part with his money to uphold what is equally insult to Jehovah, and perdition to the souls of men. Can absurdity go beyond this?

* Cave's *Primitive Christianity*, Part iii. Chap. 4. Tertullian *Apol.* Cap. 42.

According to your correspondent's principles, the Christian would be in a cruel dilemma. He must crucify every holy affection on the one side, or on the other "trample under foot one of the great laws of the kingdom of God."*

It appears, then, that the doctrine of your correspondent, *that a Christian need not be afraid of contracting guilt in paying tribute in any circumstances*, is not the doctrine of the Apostles,—at any rate, the primitive Christians did not thus interpret their doctrine. The doctrine, however, though not so old as the Apostles, is not new. I believe the New Testament, if rightly interpreted, will be searched in vain for it, but it is to be found most explicitly stated in the works of the Philosopher of Malmesbury,† and of the High Church defenders of passive obedience. Could such a passage as the following be found in the Bible, I should be obliged to acknowledge the justice of your correspondent's condemnatory sentence, severe as it is, though I should even then think it might have been less sternly and magisterially promulgated. "Mankind have the same natural liberty of conscience in matters of religious worship as in affairs of justice and honesty, that is to say, a liberty of judgment but not of practice. In cases and disputes of public concernment private men are not properly *sui juris*. They have no power over their own actions, they are not to be directed by their own judgments or determined by their own wills, but by the commands and determinations of the public conscience; and if there be any sin in the command, he that imposed it shall answer for it, and not I whose duty it is to obey. The com-

* In such a predicament, were I persuaded of my assailant's doctrine, would I find myself placed. It is scarcely necessary to reiterate, that I conscientiously disapprove of all Civil Establishments of religion. I believe that the Government has no right to legislate about the mode of supporting either Christianity or Hindooism, and that in doing both, as they seem to do (for what they do by their creature, the East India Company, they are to be held as doing themselves), they do wrong,—and I equally believe that I would as really do wrong, though not in the same degree, in supporting the first as the second of these establishments. Let no one suppose that I for a moment place on a level—Christianity civilly endowed, and Hindooism civilly endowed. The difference is immeasurable. Yet two things may be equally certainly wrong; while the mind may scarcely be able to conceive of the degree in which the one of these things, both certainly wrong, exceeds the other in enormity. With my views, it must be apparent to every candid mind, that I could not voluntarily pay the Annuity Tax, without losing the happiness of the man, "who condemneth not himself in that thing which he alloweth."

† Hobbes de Cive, C. vi. §§. xiii-xv.

mands of authority will warrant my obedience ; my obedience will hallow or at least excuse my action, and so secure me from sin if not from error ; and in all doubtful and disputable cases it is better to err with authority than to be in the right against it." No such—no similar passage is to be found in the Bible,—But these *ipsissima verba* are to be found in Bishop Parker's " *Ecclesiastical Polity*."*

Though unwilling to occupy more of your columns and of my own time with this matter than is absolutely necessary, I must be permitted to state in a few words what is the doctrine which I hold and teach with regard to the payment of taxes, as, from your correspondent's representation, your readers, who do not know me, may be apt to suppose that I make conscience of not paying taxes at all, except so far as suits my humour or convenience. My doctrine on this subject is the doctrine of the Apostles, as my conduct is, as I have just showed, that of the primitive Christians. I consider Christians as bound to pay conscientiously and cheerfully all taxes imposed for

* " A Discourse of Ecclesiastical Polity, wherein the Authority of the Civil Magistrate over the Consciences of Subjects, in matters of External Religion, is asserted," p. 308. 8vo. 1669. It is justly remarked by Dean Swift, that Parker's work is remembered merely because Andrew Marvell's witty exposure of it in his " *Rehearsal Transposed*," will not suffer it to be forgotten. The vilest and most putrescent of substances imbedded in amber become imperishable. Parker, Bishop of Oxford, was one of the most unprincipled men in an age remarkably fertile in such productions. " Parker," says Sir James Mackintosh, " originally a fanatical puritan, became a bigotted churchman at the Restoration, and disgraced abilities not inconsiderable, by the zeal with which he defended the persecution of his late brethren, and by the unbridled ribaldry, with which he reviled the most virtuous men among them. His labours for the Church of England were no sooner rewarded with the bishopric of Oxford, than he transferred his services, if not his faith, to the Church of Rome, which then began to be openly patronised by the court, and seems to have retained his station in the Protestant hierarchy, in order to contribute more effectually to its destruction. The zeal of those who are more anxious to recommend themselves than to promote their cause, is often too eager, and the convivial enjoyments of Parker often betrayed him into very imprudent and unseemly language."—*View of the Reign of James II.* pp. 140, 141. Evelyn, in his *Memoirs*, vol. i. p. 605, expresses his astonishment, that on his deathbed he refused to declare himself a Roman Catholic. Bishop Burnet says of him, " He was covetous and ambitious, and seemed to have no other sense of religion but as a political interest, and a subject of party and faction. He seldom came to prayers, or to any exercises of devotion, and was so lifted up with pride, that he was become insufferable to all that came near him."—*History of his Own Times*, vol. i. p. 696. Folio. Lond. 1724.

general purposes by the Government under which they live. If the Government misapply the revenue thus raised,—for that misapplication *they*, not their subjects, are responsible, though it is the right of subjects under our free Government, and would be their duty in such a case, to employ the means which the constitution sanctions for securing a better administration of the public funds. Even where the imposts themselves are in their estimation unwise, exorbitant, or unjust, it is their duty to pay them. Every attempt to evade them is inconsistent with the law as well as the spirit of Christianity, and though, in our circumstances, we may and ought, by constitutional means, to seek the repeal of the objectionable statutes, yet, while they continue the law of the land, the law of Christ obliges us to obey them. Even the *illegality* of a tax (and the annuity tax is strongly suspected of illegality) does not appear to me necessarily to oblige a Christian to decline paying it. If the illegality is clear,—he certainly is not bound to pay it,—but neither is he, as a matter of course, bound not to pay it. In the case of the annuity tax, had I no objection to it but that it is probably illegal, nay, were I certain that it is illegal, I would pay it, though I might be disposed to go along with my fellow-citizens liable to the burden, in having the question of its legality determined by the proper tribunal.

Such is the doctrine which I believe and teach respecting the payment of taxes,—and in this point, at least, my conduct corresponds to my creed and teaching. It is only in the case of a tax avowedly imposed for a specific purpose which, in the conscientious conviction of the individual, is sinful, that I hold the doctrine that the general supreme law,—“We ought to obey God rather than man,”—which controls and regulates all our obligations to our fellow-men, comes in to limit the obligation of the particular law respecting tribute, and even then I do not hold that a Christian individual is warranted to employ force in resisting what he must consider as an unjust aggression on his property, but that he is bound to suffer *every* thing man can inflict rather than be the voluntary agent of *any* thing he believes God disapproves. And it is for holding, and avowing, and exemplifying, *this* doctrine, that your correspondent has heaped on me such unmeasured abuse, and thundered out against me such tremendous denunciations.*

It is notorious that our covenanting ancestors, who have of late become wonderfully popular among those who not long ago were shy of

* Vide Note XLIII.

owning any connexion with them, refused to pay taxes levied for what they esteemed sinful purposes, and defended themselves not only on the principle above stated, but on some other principles in which I cannot by any means agree with them. Their new admirers will find an able abstract of their *case* in the supplementary chapter of "The Hind let Loose."* It will have the recommendation of novelty to the most of them ; and I rather think your correspondent would do well to consider their arguments before he again so decidedly condemn their conduct.

On the principles I have stated, that exemplary body of Christian professors, the Friends, have acted, ever since their origin, as a distinct denomination ; and, had all Christians opposed to a compulsory support of religious ordinances followed their example, the Christian world would by this time have worn a different and a more agreeable aspect. I am not aware of these sons of peace,—these friends of order,—having been accused of "adopting a line of conduct calculated to disturb the peace of society,—kindle the flames of civil war, and lead to bloodshed ;" I am sure if they have, they have been accused falsely.

My own purpose and conduct have assuredly originated in no wish to disturb the peace of society. In themselves they have no tendency to do so. What their consequences may be either to myself, or to others, I am not particularly solicitous to know. Being fully persuaded in my own mind that I have done nothing but my duty, and that I have done it in as inoffensive a manner as possible, I can intrust the consequences of that step, as of more important ones which I have been called to take, to Him, "of whom, and through whom, and to whom are all things," and who will make "all things work together for good" to his own cause,—the cause of truth and righteousness, liberty and peace.

I have only farther to say, in conclusion, that to make scruples of conscience a pretext for either evading the payment of a tax, or exciting civil dissension, is such a depth of moral baseness, as that respect for our common nature, which an Apostle seems to enjoin when he bids us "honour all men," as well as "the charity which thinketh no evil," would prevent me from ascribing to any man, without the most satisfactory proof ; and he who, without evidence, insinuates that another is capable of such vile hypocrisy, only betrays the meanness of his own character, as, in giving judgment on the motives of another, he unintentionally makes a disclosure of his own.

* Vide Note XLIV.

The oracular solemnity and overbearing arrogance of your correspondent's denunciations are entirely lost on me. I stand in no awe of HIS words, though I trust I do tremble at God's. I have learned to make a distinction between "replying against God," and "replying against an erring fellow-mortal," who rashly puts himself in the place of God, and speaks as if he was commissioned to be at once the accuser and the judge of his brethren. Neither he nor I can be the worse of being again reminded, that "Every one of us shall give account of HIMSELF to God." Information, argument, advice, reproof, when deserved, I would readily receive and gratefully acknowledge, especially from an "old disciple," from whose chastened and mellowed character we naturally look for the "meekness of wisdom;" but for such railing accusations, from whatever quarter they may come, I feel no gratitude, and can return no thanks.

As your correspondent has barred the door on all direct communication, will you have the goodness to inform him that he has got his answer, and if not satisfied, he may, uninterrupted and unreprieved by me, rail on.—I am, &c.

JOHN BROWN.

DOCUMENT V.

STATEMENT MADE FROM THE PULPIT IN BROUGHTON PLACE
CHURCH, ON SABBATH THE 19TH OF NOV. 1837.

It was my intention to conclude on the evening of the third Sabbath of December, my illustrations of that series of connected prophecies, in the exposition of which I have been for some months engaged. An unlooked for circumstance has induced me to alter my purpose. A calumnious charge against me has been publicly made, and extensively circulated, of having committed "a most flagrant violation of the Divine law,—rebelled against Christ,—and trampled under foot one of the great laws of his kingdom, by teaching doctrine on the subject of the Christian duty of paying tribute, directly opposite to the doctrine of Christ and his apostles." Such are the terms in which the charge is laid. This is a charge which, if believed, must deeply affect both my reputation as a private individual and my usefulness as a public functionary, and, in times not distant, might even have exposed to hazard my personal freedom. I pity, and forgive,

and pray, for the author and the propagators of this calumny. It is not the first time they have afforded me an opportunity of performing these offices of Christian love to them, and, I trust, I shall not become "weary in well-doing." At the same time a regard to the honour of my Master,—a wish to preserve from unmerited blame the ministry I have received from him,—and a respect for my congregation (for if the above charge is true, it would be a disgrace to them to continue under my pastoral care), requires me to do what lies in my power to wipe off the foul reproach. I have therefore come to the resolution to devote the two next Monthly Lectures to an Exposition of the General Duty of Subjection to Civil Government, and of the particular duty of payment of tribute, as these duties are enjoined and enforced in the first seven verses of the thirteenth chapter of the Epistle to the Romans. The subject of the next Monthly Lecture then, which is intended to be delivered on the evening of the third Sabbath of December, shall be—the Christian Duty of Subjection to Civil Government.

DOCUMENT VI.

ANONYMOUS NOTE ON DR BROWN'S LETTER. EDINBURGH ADVERTISER, NOVEMBER 24, 1837.

Dr Brown refers to the practice of the primitive Christians in support of his position. His statements upon this subject are grossly inaccurate, and the manner in which he conducts this part of his argument is equally discreditable to him as a man and a scholar. He justly characterises the early Christians as "very *single-minded, simple-hearted men*,"—a temper of mind which their panegyrists would do well to imitate.

His statement is, that "in primitive times, Christians readily paid the taxes for general purposes, but a tax for a specific purpose, which they accounted sinful, they did not, they would not pay." All that he offers in support of this bold averment is a quotation from Dr Cave (or as he is pleased to call him *Archbishop Cave*), in which that author gives an outline of a passage in Tertullian. Now, it is not very scholar-like to take evidence of this description at second-hand. And it is especially unworthy in an individual who is engaged in the work of theological tuition to hold out to the public Dr Cave as an authority—a writer notoriously inaccurate in many of his statements,

and who, in his own lifetime was more than once chastised into a retraction of his mistakes. Besides, Dr Brown must have seen in the very paragraph from which he quotes, two other ancient writers—Justin Martyr and Tatian—brought forward as stating the readiness of the early Christians freely to pay *all taxes and tributes*, without any qualification or exception whatever. A difference so remarkable in the witnesses, as reported by Dr Cave, would have impressed any man of ordinary candour with the necessity of having recourse to the originals. One of the writers, no doubt, viz. Tatian, is chiefly known as a heretic. But in regard to a matter of fact, his evidence is on a level with that of Tertullian, who himself fell into error. And, beside, the work from which the abstract is given, was written while he was in connexion with the true Church, as Dr Brown may see in another of Cave's works—the *Historia Literaria*—and, indeed, the fact is notorious. At all events, whether he had recourse to the originals or not, Dr Brown was bound to give the evidence as he found it—to make the public aware of the discrepancy—and not to mislead by a partial extract.

An undue advantage is obtained by this mode of quotation in another respect. Dr Brown commences his quotation thus—"Tertullian tells them" (*i. e.* the Gentile Magistrates), I quote the words of Archbishop Cave in his *Primitive Christianity*, "that though they" (*i. e.* the Christians) "*refused to pay the taxes rated upon them for the maintenance of the heathen temples, yet for all other tributes,*" &c. Now the impression that this extract is calculated to convey is, that Tertullian's main object was to justify the Christians for refusing to pay certain taxes, and that he was addressing himself to the Gentile Magistrates upon this special topic. A different impression would have been conveyed by a more complete quotation. Dr Cave, in the chapter referred to, undertakes to illustrate the obedience and subjection of the early Christians to civil government, and for this purpose introduces a passage from Tertullian that he conceived to bear upon the subject. To give more effect to the quotation, Cave alludes to the form in which the whole work of Tertullian is written—a form common to most of the early apologies of Christianity—viz. as addressed to the civil rulers. This, however, in many instances, was little more than a form—and at all events this account takes away all the effect that may arise from a direct appeal to civil magistrates upon the subject of taxation.

It is time, however, to proceed to more important matter, and we shall now endeavour to prove that Dr Cave, in this passage, has wholly

misapprehended Tertullian, and that in the original there is nothing at all about "taxes rated for religious purposes" in the sense in which Dr Brown employs the words.

The object of Tertullian in his Apology is to expose the injustice of the heathen in their conduct towards the Christians, and to show the groundlessness of many of the charges made against the Christians. Among the calumnies circulated against the Christians, one of the most frequent was that they were morose and unsociable, that their principles unfitted them for many important duties, and rendered them useless or dangerous members of society. Tertullian takes up this objection in the 42d chapter of his work, and endeavours to remove the false impression in his own rhetorical way. He shows that the Christians were not Gymnosophists or Brachmans—that they lived in the world—engaged in its business—enjoyed its pleasures—performed its duties. They avoided, indeed, all excess, and also every scene in which they might be involved in idolatrous practices. But he argues, that even in a political point of view, this did not render them less useful as individuals, or even as citizens of the world. This he illustrates in various particulars. At last he comes to the objection that the revenues of the Temples continually decreased, and that scarcely any threw in their mite to the gods. The words in the original are *certe inquitis templorum vectigalia quotidie decoquant; stipes quotusquisque jam jactat?* Tertullian allows that this is the fact, but argues that the Christians were not to be found fault with for this,—and he goes on to state that it was too much to expect that they were to give money to the beggar gods, and relieve their suffering fellow-men—that their charities were upon an extensive scale—so extensive that they would not even refuse to give something to Jupiter if he would hold out his hand for charity in the street, though they could not go to his Temple—that they were strictly honest in all their dealing, and that in this way the commonwealth received more from them than from any other class of subjects.

Now, in all this there is not a single word about the Christians refusing to pay the taxes rated upon them for the maintenance of the Heathen Temples. We confidently refer to the original passage, and appeal to any "simple-hearted" man, capable of understanding the words, whether there is any approach to such an idea. Indeed, every one acquainted with the subject must be aware that the instances were inconceivably rare of special taxes being appointed for religious purposes. The heathen worship was supported partly by consecrated lands, partly by grants of princes from the public purse,

and chiefly by bequests from individuals, and by contributions at the Temple, which were either wholly voluntary or obligatory only upon those who engaged in the worship.

And, besides, can a single example be produced in which any of the first Christians acted upon the principles ascribed to them? We defy Dr Brown to produce an instance. The degrading means resorted to in order to enforce the capitation tax on the Jews for repairing the Temple of Jupiter Capitolinus are well known. But can any tax of the same kind be mentioned in regard to the early Christians? Or, if there was such a tax, did they ever attempt to resist it?

The matter, however, need not be left to a mere challenge. We have the most irresistible evidence that it was not their practice to resist any tax. Among all the charges brought against them by their enemies, they are never accused of disobedience in this respect. Now this could not have been the case had they acted upon Dr Brown's principle. The priests had a direct interest in the treasury of their Temples being well furnished. We learn from another passage in Tertullian, that the revenues of the Temple were frequently exposed to sale, and the farmers of these revenues must have carefully watched over them. The Roman tax-gatherers were proverbially rigorous. But from neither priests, nor farmers, nor publicans, do we find any complaint against the Christians for refusing to pay what the law enjoined. In the well-known letter from Pliny to Trajan, there is a complaint that the Temples were deserted, and that the victims remained unsold—but there is no notice of any direct impost being resisted. Had such a spirit been manifested, Pliny would have had less occasion to consult his master. The complaints of the priests, throughout all the early ages, were—that the gods were neglected and despised, and the temples deserted—but never that their legal claims were contumaciously withheld.

With these facts before us, even if the gloss taken by Dr Brown upon the passage in Tertullian had been correct, we would have concluded that Tertullian himself was mistaken—as he often was in matters of fact—or that he was speaking merely of his own practice, or of that of a few fanatics like himself. It is well known that he held peculiar notions upon many subjects. He imagined that soldiers should not receive crowns of laurel from their commanders—though this was by no means the general opinion—and though, as Mr Milner remarks, it might, in fact, be worn as innocently as St Paul committed himself to a ship whose sign was Castor and Pollux. The opinion held of Tertullian by Dr Brown's grandfather may be seen in his

Dictionary. "Whatever," says he, "Tertullian, and some others, equally giddy in their notions, pretend," &c.

It is not necessary, however, to have recourse to this line of argument. And we return to the position that there is not a word about refusing to pay taxes in Tertullian. The word *vectigalia* is indeed used. But every school-boy knows that this word is by no means confined to revenues arising from public imposts. It may apply to revenues of any description. In the present instance, it refers not to what the public generally "were rated with," but to the contributions of the actual worshippers. Such contributions might be permitted, or, perhaps, in some instances enjoined by law, which allowed the privilege of begging to the priests when they had not sufficient endowments. But they were not rendered obligatory except in the case of those who actually entered the temples. This is sufficiently obvious from another passage from Tertullian :—"Religion goes round the taverns begging. Ye demand payment for entering the Temple, and for a place at festivals. No one can become acquainted with the gods for nothing : access to them is purchased."—C. 13.

This view is confirmed by another clause already quoted. "*Stipes quotusquisque jam jactat ?*" It is not who pays a tax ? but who throws an alms ? We are aware that some critics have explained *stipes* here by *tributum*. But this is obviously erroneous, or, if it was a tribute, still it was exacted only from the worshippers. We have not room to follow out this minute criticism. But in proof of this interpretation of the word we refer to Arnobius adv. Gentes. I. p. 16. Ovid I. Ex Pont. I. 35. Varro, sub fin c. 4 and many others might be mentioned.

We hold it then demonstrated that it is a libel against the Christians to represent them as refusing to pay any tax they were rated with. Dr Brown's gloss, or rather his friend, the *Archbishop's* gloss of an isolated passage will stand him in no stead. We have the direct testimony of the Fathers that they readily paid all taxes without any exception, and their worst enemies never charged them with anything so extravagant and ridiculous as might be construed into a precedent for the Edinburgh Voluntaries. Ambitious as the primitive Christians were for the crown of martyrdom, it did not occur to these "single-minded men" to seek for that crown by the violation of a positive precept of their Divine Master, or by turning their back upon his example. Dr Brown and his followers may seek in vain among the Fathers for any warrant for their proceedings. These proceedings, indeed, are not without precedent. It is, however, not among

the simple-hearted Christians, but among the turbulent Herodians—and Judas the Gaulonite is their true prototype (Acts v. 37).

These learned remarks are fully considered in Note XXVIII., after perusing which, the reader may possibly be disposed to pronounce on their Author, the somewhat severe sentence which, with what justice is there shown, he has thought fit to pass on one, who, though he would have been little elated by his praise, and feels no way depressed by his censure, could not on such grounds, even for his own sake, have dealt out such measure to his ultroneous adversary. “His statements upon this subject are grossly inaccurate, and the manner in which he conducts this part of his argument, is equally discreditable to him as a man and a scholar.” He has proved that inaccuracy of statement is not a peculiarity of the learned, and that a man may deserve that notoriety, which he imputes to Dr Cave, and which he would fain secure for the object of his attack, without any thing like that extent of erudition which the former certainly possessed, and to which the latter never made any claim; and his “*confident* references” and *bold* “*defiances*” put us in mind of the remark of an ancient Greek comic poet, who has the honour of being quoted by the Apostle Paul (1 Cor. xv. 33).

Οὐκ ἐς' ἀνοίας οὐδὲν ὥς ἐμοὶ δοκεῖ
Τολμηροτέρων.—MENANDER.

DOCUMENT VII.

ALL THAT IS COUNTED NECESSARY IN THE WAY OF REMARK, ON
MR HALDANE'S LETTER IN THE ADVERTISER OF 24TH NOVEMBER,
1837, AND ITS LEARNED APPENDIX.

(FROM THE EDINBURGH ADVERTISER OF 28TH NOVEMBER, 1837.)

Dr Brown has seen Mr Haldane's letter in the Advertiser of to-day, and does not find in it any thing calculated to make him regret his resolution to have no direct correspondence with that gentleman. It is as he anticipated. Mr Haldane “*rails on.*” While he continues to calumniate, Dr Brown hopes he will be enabled to continue to forgive. His assailant seems determined that he shall not soon want op-

portunity for the performance of that Christian duty. Mr Haldane would fain convince the public that Dr Brown is not only a heretic but a liar; but as "the curse causeless shall not come," so the charge unsupported will not be believed. Dr Brown is quite ready to stand by the award of any unprejudiced judge who may think it worth his while to read the documents Mr Haldane has referred to.

Who, 'Ο παύ, the Paragon of Patristic learning may be, who has come forward to Mr Haldane's help, to torture Tertullian and vapulate Dr Cave, Dr Brown has no knowledge, but he obviously is not without a due sense of his own literary attainments, and has raised a good deal of dust, which may help to blind the eyes of those who are not very much disposed to see.—Dr Brown might have given Tertullian's words (for they were before him), and his own translation of them (for he really can "do into English" a passage of not very difficult Latin), but as comparatively few of his readers could readily understand the original, he preferred giving it in "the vulgar tongue," and though he did not greatly admire Cave's translation, yet being that of a true Churchman, he thought it would be less liable to suspicion than one made for the occasion by a voluntary.—The fact, after all the learning wasted on its obscuration, stands as it did.—*The Christians of the earlier ages refused to contribute of their substance to the support of a mode of worship of which they conscientiously disapproved—by whatever authority exacted.* Let this be granted, and Dr Brown does not much concern himself, how his learned antagonist dispose of Tertullian, as he is no particular favourite with him, any more than with "his grandfather."

Dr Brown acknowledges, with befitting humility, that in one thing he has erred, in raising Cave to the dignity of the Archi-episcopate,* whereas, good Churchman as he was, he never attained even to Episcopal honours. Dr Brown can only account for the mistake, by having momentarily confounded in his mind, *Cave*, the biographer of the Apostolic Fathers, and *Wake*, the translator of their Epistles. It was, no doubt, a sad blunder to mistake the Canon of Windsor for the Archbishop of Canterbury, yet a weightier error would scarcely be unpardonable in one who makes no pretensions to be deep read, either in the ancient Fathers, or in their modern admirers. It is obviously the wish of the learned man to prove, that his antagonist is very weak, in the point in which he feels or fancies himself very strong.—With regard *

* It was not thought necessary to continue the blunder in the letter, as reprinted above. It is right to *acknowledge* and to *correct* mistakes when pointed out. Many polemics are too proud to do so.

to the proofs—this among the rest,—Dr Brown is quite willing to say—*valcant quantum valere possint*.

53, Albany Street, 24th November, 1837.

Dr Brown takes the opportunity of this reprint, of adding the following remarks:—He did not think in his Letter to the Editor of the Advertiser, of quoting either Justin Martyr, or Tatian, for a very plain reason:—They proved, what he as little doubted as any of his antagonists, that the primitive Christians conscientiously paid *civil* taxes. What he wished to prove, and what the quotation from Tertullian, translate it and annotate on it as you will, clearly proves was, that Christians would not pay *religious* taxes. We have the authority of 'Ο παππ himself (and from what has transpired, Dr Brown is disposed to think that *on such a point* his authority is a very good one), that the “contributions at the temple, were either wholly voluntary, or *obligatory only upon those who engaged in the worship*.” Now surely if the Christians, at the hazard of their lives, were commanded by imperial authority to enter the temple and burn incense,—the obligatory contributions were not likely to be remitted. They refused to worship, and in doing so they refused, of course, to pay “the obligatory” contributions.

As to the communication in the Edinburgh Advertiser of to-day, from the Minister of the College Church—when Dr Brown recollects the relation which once subsisted between the grateful pupil and his self-chosen instructor, all the feelings of a severe kind, which it is fitted to excite, are lost in PITY.—“ET TU Brute!”—DIXI.

53, Albany Street, 28th November, 1837.

DOCUMENT VIII.

LETTER TO THE EDITOR OF THE EDINBURGH ADVERTISER.

53, Albany Street, Dec. 13, 1837.

SIR,—My assailants in your pages have for some time had it all their own way. My hands have been full of other, and to me, more agreeable work than replying to their attacks. I was told that they were injuring *nobody* but themselves, and *nothing* but their own cause. I wish them all very well—but I knew that my saying to them, however civilly,—“Do yourselves no harm,” would only have given new

impetus to their exertions; and as to injuring their cause—that was rather their affair than mine. In their letters I did not find much that required answer—and if there were something that deserved rebuke, I was not inclined, and did not feel called to administer it.

The only point mooted in your first correspondent's lucubrations that seems to demand remark, is the supposed detection of dangerous heresy in the apparently innocent statement, that "nothing is Christian duty which is not cheerfully performed." If your correspondent hold, that God requires of Christians, and of all men, the *cheerful* performance of duty—and that nothing will be recognised by Him as the performance of duty, where the heart is not engaged—he and I are, at least, on one subject, of one mind. He may be able to express the sentiment more happily than I have done—but I confess I have not yet seen any thing dangerously ambiguous in the terms I have employed, nor peculiarly felicitous, in the phraseology he would dictate, as their substitute.

With respect to your other correspondent, he seems displeased that I should have described him as "the *grateful* pupil of his self-chosen instructor." And he has endeavoured, not without success, to convince the public that any reproach which may be couched under these words, can not *now* be justly attached to him. Some men have odd tastes. But "*de gustibus non est disputandum.*" He has also satisfied his readers, that when "the grateful" (or *ingrateful*, if that will please him better) "pupil," by something more than implication, called his "self-chosen instructor," "a perjured apostate," the external marks of cordial acquaintanceship could scarcely continue to be interchanged, without a sacrifice of integrity on the side of at least one of the parties.

To the charge of corrupting the faith of history, and calumniating the character of good men, I have only to say, that the body of men, neither a very small, nor by any means a contemptible one, of whose opinions, "*The Hind let Loose*," is the record, were "*Covenanters*;" and, as they lived about a century and a half ago, I thought myself safe in calling them "our ancestors." I did not calculate on such ignorance in my readers, as he, from bringing forward information with which I thought every person at all acquainted with these subjects was familiar, seems to have counted on in his. It never occurred to me that any such person could suppose, referring as I did, to "*The Hind let Loose*," that I was speaking of *the whole* of the *Covenanters*. The body referred to, though I do not approve of all their sentiments and doings, appear to me to have been the only

thoroughly consistent Covenanters, and, therefore, to have a pre-eminent title to that name. They were rather favourites, too, with "my Grandfather," and I do not like them the less on that account. Of their more numerous, and less consistent,—I do not say less conscientious,—brethren, I did not say one word.* My opponent, or, at any rate, some of his friends, habitually speak of a party of Seceders, which in no view, bear so respectable a proportion to the whole body known by that title, as the high anti-indulgence party did to the body of Covenanters—as the only Seceders who deserve the name.

I do not think my assailants could have made such charges on such grounds, but in the excitement of controversy. I do not estimate their intellects so meanly as to suppose this possible; and I am quite sure, none can harmonize with them in sentiment as to these charges, except those who sympathise with them in feeling, as to their object.

With regard to my anonymous learned opponent—I have only to recommend to his consideration a remark of Bishop Hoadly—(to prevent his having the trouble of exposing my ignorance, I must tell him I am aware he was only Mr, not Bishop Hoadly when he made the remark),—"that they ought to be severely censured, who take advantage from their working in the dark, to attack the reputation of others without hazarding their own."

The temptation is strong, or at any rate the provocation is great, but I must not "render railing for railing"—if it were for no other reason than that which has been assigned for Michael the Archangel not bringing a railing accusation "against the Devil" when he disputed about the body of Moses—that in such a combat I would be sure to come off at the worse. But there is a better reason.—The Master has forbidden it.

I am, Sir, your obedient Servant,

JOHN BROWN.

P. S.—Since writing the above, I have seen Mr Haldane's letter of yesterday. Into the general argument with respect to the limita-

* I might, however, have said, that in refusing to pay the Annuity Tax as some of them undoubtedly did (Vide Note XL.), they acted on the same principle with their brethren who refused to pay cess; and I should be sorry to be shut up to the conclusion—that the resistance referred to on the part of the adherents to Presbytery, to the being taxed for the support of a religious establishment, of which they disapproved, was generally the result of avarice or rancour, rather than of conscience. Either they held my principle, or they acted inconsistently with their own.—Vide Note XLIV.

tions of civil obedience, and of their legitimate application to the payment of tribute as a particular species of civil obedience, I intend to go fully in the lectures which I have announced. Nothing stated by my opponents seems to me in the slightest degree to shake the doctrine contained in my first letter. I am much pleased, however, with the prospect of seeing all that my antagonist has to say, before I print the lecture on tribute-paying. My object is to know and make known the truth. Could your correspondent furnish me with the means of altering my views conscientiously, I should feel much indebted to him. My position is not in itself an enviable one. Could I have escaped it with a good conscience, I should never have occupied it—and could I abandon it without conscious rebellion against truth, and the God of truth, I should immediately do so.

J. B.

DOCUMENT IX.

LETTER FROM THE ELDERS AND MANAGERS OF THE UNITED ASSOCIATE CONGREGATION OF BROUGHTON PLACE.

Broughton Place Session-House, Edinburgh, Dec. 13, 1837.

TO THE REV. DR JOHN BROWN.

REV. AND DEAR SIR,—We, the Elders and Managers of the United Associate Congregation, Broughton Place, feel constrained from the peculiar circumstances in which you are at present placed, in reference to the controversy on the subject of the lawfulness of your paying the Annuity Tax, to give expression to those sentiments of unabated respect and affection which we entertain towards you, as our Pastor. While by all classes of the community this controversy is regarded with deep interest, you may be assured that we, who stand to you in such an intimate spiritual relationship, must feel a special concern in whatever affects your usefulness as a Christian minister, and your character as a citizen. Knowing, as we do, your earnest desire to “follow the things which make for peace,” we feel assured that nothing but a conscientious conviction of the necessity “which is laid upon you” by the LAW OF GOD, could induce you in any way to oppose the LAW OF MAN; and that your desire is to maintain “a conscience void of offence toward God and toward men,” at whatever sacrifice of personal feeling or comfort. It would be obviously out of place, and beside our purpose in now addressing you, to enter upon an

examination of the various statements put forth by your assailants, our chief purpose being, at a time when it has been attempted to cast upon you obloquy and calumnies of diverse kinds, to express our sympathy, and the unaffected sentiments which we entertain of your upright and single character, as well as the gratitude which, in common we believe with all the Members of the Congregation, we feel to the Great Head of the Church, for having bestowed on us a Pastor, who is at once a faithful and accomplished expositor of the Scriptures, and a devoted and kind superintendent of "the flock over which the Holy Ghost has made you overseer."—We remain,

Rev. and dear Sir, yours very respectfully.

The above letter was signed by all the Members of the Session, and all the Managers of the Congregation, and a similar expression of sentiment and feeling, numerously subscribed by the Members of the Congregation, was also presented to their Minister.

DOCUMENT X.

ADDENDA.

Dr Brown hesitates as to the propriety of noticing a circumstance which has had great prominence given to it in some of the numerous attacks which have been made on him:—the having voluntarily placed himself in a situation where he became liable to the Annuity Tax. And is it indeed come to this? After the repeal of the Test and Corporation acts, is a Dissenter, in consequence of holding a conscientious opinion, to be obliged, if he choose the metropolis of Scotland for a residence, to dwell in the suburbs? It would not be discreditable for any man to take up his residence within the royalty of Edinburgh, with the direct intention of yielding a passive and peaceable resistance to an unjust and injurious impost, if he had the hope, in this way, of doing any thing effectual towards its removal,—and if, in order to his discharge of this public duty, he made up his mind to the disruption of many endearing connexions with Christian Churchmen, who could not estimate the reasons of his conduct,—and to meet all the low abuse with which he was sure to be assailed by those who, from secular motives, support a secular system, for secular ends, there would be something like moral heroism in the determination. To this honour

Dr Brown lays no claim. He removed from the suburbs into the royalty, principally to afford opportunity for a member of his family to enter, in the most favourable circumstances, on the duties of an honourable profession—and he did so with a full understanding that the result of that step would be, either paying the Annuity Tax, or taking the consequences of not paying it. He is not conscious of having done any thing wrong in all this. But if he be an offender, and have “committed ought worthy” of distraint of goods, or imprisonment of person, he refuses not to submit to the laws of his country. Whatever his opinion of these laws may be, he will not attempt to oppose them. To the claimants of the Annuity Tax, and to those who are appointed to uphold their claims—He says, “As for me, behold I am in your hand : do with me as seemeth good and meet unto you ;” Jer. xxvi. 14. He is quite ready to suffer—for that he can do without sinning—but no power on earth will compel him to do what he BELIEVES to be wrong.

DOCUMENT XI.

LETTER TO THE EDITOR OF THE SCOTSMAN NEWSPAPER.

Edinburgh, 53, Albany Street, Feb. 8, 1838.

SIR,—As I was going out this morning, I met, in the lobby, three persons, one of whom informed me, that they were come, to distraint, for the Annuity Tax, civilly apologising for coming on so disagreeable an errand, and assigning as the reason, that the Magistrates had informed them, that if they did not do *their* work, they must leave their service. He then asked me if there were any articles which I would prefer being taken rather than others. I declined availing myself of the choice offered to me ; and was about to show them into the dining-room, when he said, looking towards a clock standing in the lobby, “This will serve the purpose.” On this I left them ; but found afterwards, that doubting, I suppose, whether an article, the price of which, a few years ago, was £10, would suffice to pay a charge of £3 : 3 : 6, they went into a bed-room and poinded a mirror, valued at about £4, leaving an intimation, that if the tax was not paid within eight days, the articles would be removed and sold.

For various reasons, I am desirous that these facts should be recorded in your columns “*in perpetuam memoriam rei*,”—as an illustration of the true character of the Annuity Tax, and of the modera-

tion and wisdom of its exactors. While I take joyfully this “spoiling of my goods,” I abhor the injustice and despise the meanness of the system, by one of “the beggarly elements” of which, I am legally robbed of my property; and cannot help thinking, that every unprejudiced and reflecting mind must perceive that there is something very far wrong with that system, which can render it necessary and proper, in the estimation of a number of most respectable and amiable Christian ministers, to employ or (which in a moral point of view is the same thing) to sanction the employment of such measures in reference to another Christian minister, who has no ecclesiastical connexion with them—who never received from them any favour, and never did them any injury,—in order to obtain that maintenance to which, according to the laws of Christ, they are entitled from those who choose to avail themselves of their valuable labours—a body so numerous and wealthy, that I do not see how, without disgrace as well as criminality, they can allow their respected pastors to suffer even temporary inconvenience, from any difficulty, originating in the unequal, illegal, persecuting, and odious character of the impost from which, unhappily for all parties, their income at present is chiefly derived.—I am, Sir, your obedient servant,

JOHN BROWN.

DOCUMENT XII.

LETTER TO THE EDITOR OF THE SCOTSMAN NEWSPAPER.

53, Albany Street, May 23, 1838.

SIR,—Those citizens who do not feel themselves at liberty to pay the Annuity Tax, as being exacted for what appears to them a sinful purpose,—the support of a compulsory system of religious institutions,—owe thanks to the members of the Town Council, who have secured the employment of sworn appraisers in the forcible collection of that obnoxious impost. They must still indeed be spoiled of their goods, but the spoliation is now confined within comparatively moderate limits.

I had a second visit from the executioners of the law on the 10th instant, and, in consequence of the arrangement referred to, they attached, for the payment of two years' annuity, property of a value considerably less than what on a former occasion was distrained for the annuity of a single year. A number of my brethren from different quarters of the country happened to be with me when the dis-

traint took place, and witnessed the scene. They seemed struck at the manner in which one class of Christian ministers in Edinburgh, are by a corrupt system brought to believe that it is their duty (for surely nothing short of such a conviction could produce the effect) to take by force the property of one whom some of them were once very ready to acknowledge as a brother,—and I do not think their respect for the Law Church has been at all increased by what they have seen.

The deed has now been completed. Being about to remove from my present house, I thought it right, on Monday evening, to address a note to the Chamberlain of the city, informing him of my intention, that he might take what measures he saw proper respecting the goods pointed at his instance, as collector of the stipends of the Established clergy. Though he did not think fit to acknowledge this communication, the articles were by his order this morning removed to the City Weigh House.

The circumstances connected with the consummation of this act of spoliation, are somewhat remarkable. The last notice was given in the close of the week, a little before the general administration of the Lord's Supper in the city;—the distraint took place immediately after it; and the goods were carried off during the meeting of the General Assembly. It seems the wish of those who have the management of this business, that the taking by force the property of one minister of religion to support other ministers of religion with whom he has no connexion,—an incident in itself, and from its being, I believe, the first occurrence of the kind in this city, rather fitted to excite public attention,—should have all the advantage of befitting accompaniments. They seem anxious to proclaim that they are not ashamed of what they are doing; and I am desirous that it should be publicly known that I am not ashamed of what I am suffering.

It is but justice to state that the officers of the law, while *they* seemed rather ashamed of their work, behaved with the utmost civility.

I have only farther to say, in conclusion, that I feel honoured in having been allowed to bear testimony in this way, to the great truth witnessed to by my Master, before Pontius Pilate, when he said, “My kingdom is not of this world;” and should the law give those interested, authority to take farther measures against me,—and they be disposed to avail themselves of it,—they will find me quite as ready to allow my person to be conveyed to the City Jail, as my goods to the City Weigh House.—I am, Sir, &c.

JOHN BROWN.

DOCUMENT XIII.

EXTRACT FROM THE SCOTSMAN NEWSPAPER, JUNE 30, 1838.

The goods distrained were sold in the City Weigh House, on the 27th June, in the presence of a great crowd, who gave very unequivocal proof of the public feeling respecting such a transaction, as appears from the following extract from the Scotsman of June 30, 1838.

“ On Wednesday forenoon, a great excitement was occasioned in the city by placards being carried through the streets upon poles, intimating that a sale of goods, pointed from individuals who had refused to pay the Annuity Tax, was to take place at the Weigh House. Some years having elapsed since any sale of the kind had been attempted, considerable curiosity was evinced to see who, or if any one, would have the hardihood to purchase the goods of their fellow-citizens under such peculiar circumstances. Purchasers, however, were found. We need hardly state, that the crowd expressed their feelings pretty audibly both in reference to the general nature of the transaction itself,—the rousing of one minister's goods for the support of other ministers to whom he was under no obligation, and in reference to the unenviable position in which the purchasers chose to place themselves.”

APPENDIX.

PART SECOND.

NOTES AND ILLUSTRATIONS.

NOTE I.

IN WHAT SENSE CHRISTIAN MINISTERS ARE MESSENGERS OF GOD.

THE expression *Messengers of God* applied in the text to Christian Ministers, is used only figuratively or analogically, and in a secondary and much lower sense than that in which in the New Testament similar appellations are applied to the apostles. It is meant to denote merely that they are men whose office is to declare divine truth—to which office, if they regularly fill it, they have been called by their brethren,—and in most cases, the call of the brethren has been sanctioned, by solemn commendation of them to the care of the Chief Shepherd, by those already in office.

Perhaps an apology is necessary, for applying, to any ordinary officer in the Christian Church, an appellation appropriated in the New Testament to inspired teachers. Undoubtedly the rash assumption, that the terms employed in reference to the apostles may, with few exceptions, be, as a matter of course, applied to ordinary ministers, has not only led to much misinterpretation of Scripture, but to tyrannical assumption on one side, and slavish subjection on the other. It has often made ministers think less of the duties than the dignities of their office—more of its honours than its responsibilities ;—and it has cherished a superstitious veneration for the *clergy* (by the way, the New Testament clergy *οἱ κληροὶ* are not the ministers but the people, 1 Pet. v. 3), which has perpetuated abuses and greatly impeded the progress of truth and godliness.

If the subject was not so closely connected with the highest interests of all concerned, it would really be amusing to listen to the high-sounding words of vanity—in which the clergy, *par excellence*, speak of their mysterious dignity. “The Evangelical priesthood,” says one of them, “translates us out of darkness into God’s marvellous light, raises men from the earth, and virtually brings God himself down from the regions of heaven. By blessing visible elements, it makes them the happy instruments of invisible grace. It symbolically disposes of that body which was given for the life of the world, and that blood which was poured out to redeem men’s precious and immortal souls. Oh, miracle of goodness! Oh, adorable bounty of God! that such transcendent power should be given to the sons of sinful men. What amazing dulness, then, is it not to admire! what shocking profaneness not to revere, so great an authority! To you, my brethren, are committed the keys of heaven, of hell, and of death; all the means, the ministrations, the persons, the instruments, the energies of grace. By you men put on Christ,—by you they are united to the Son of God,” &c.—“With regard to those presumptuous arrogant teachers (the Dissenting ministers), and their obstinately blind followers, Charity itself, that heaven-born virgin, which kindly draws a veil over every human ill, stands startled and amazed: in vain she strives, in vain she labours to excuse them, though she still hopeth and believeth all things, yet still she repines, and it is not in her power to think so favourably of them as Origen did of their father the devil, who falsely imagined he might be saved.”—“In case of a real and absolute necessity,” of men’s teaching Christianity and administering its ordinances without regular Episcopal ordination “(not a false and pretended necessity, not the daring and presumptuous plea of the *kirk*,—that man must be a perfect stranger to modern history, who is ignorant that the *kirk* very rebelliously and impiously rejected Episcopacy,—not the feigned but more plausible excuse of Geneva; not the boasted moderation of those who falsely call themselves *churches* reformed), we would not willingly think those men, who, though unauthorized, piously preach the religion of Jesus, to be guilty of sacrilege, or to incur the dreadful penalty of damnation. No, in pity to their unavoidable misfortune, in compassion to their unconquerable necessity, we consign them not to the indolent state of a gloomy deprivation, nor shall we commit them to the merciless and irreversible fate of eternal misery. They are in the hands of a merciful Creator; we leave them to their guardian angels, and to that Providence which continually preserveth all things.”

Who can but laugh to think that such things have been said,—who would not weep to know that they have been said by a Protestant Christian minister? Yet are they *verbatim* extracted from “*The Divine Institution of the Ministry, and the absolute Necessity of Christ’s Government: a Sermon preached before the University of Oxford, on Sunday the 21st of September, 1722. By Joseph Betty, M.A. Fellow of Exeter College in Oxford.*” It was in reference to this asserter of clerical dignity, that a wag of those times, with a freedom with Scriptural phraseology, of which we cannot approve, makes ALMA MATER OXONIA exclaim, “Many of my daughters have done virtuously, but BETTY excelleth them all.”

Oxford seems much the same kind of place still. It would not be difficult to find passages in the “Oxford Tracts,” in the course of publication, as extravagant in sentiment if not in expression as the above. Yet these are the persons with whom the Presbyterian upholders of Establishments at all hazards, seem to delight in fraternizing. These form part and parcel of the venerable Hierarchy and Establishment of England. The Covenanters were much more *nearly* right than those who boast of being their descendants, in their *judgments* on these subjects, whatever we may think of some of their *sayings* and *doings*.

NOTE II.

REASONS WHY CHRISTIANS SHOULD ATTEND TO POLITICS.

ROBERT HALL.

“The principles of freedom ought, in a more peculiar manner, to be cherished by Christians, for they alone can secure that liberty of conscience and freedom of inquiry, which is essential to the proper discharge of the duties of their profession. A full toleration of religious opinions, and the protection of all parties in their respective modes of worship, are the natural operations of a free government; and every thing that tends to check or restrain them, materially affects the interests of religion. Aware of the force of religious belief over the mind of man, of the generous independence it inspires, and of the eagerness with which it is cherished and maintained, it is towards this quarter the arm of despotism still directs its first attacks, while through every period, the imaginary right of ruling the conscience has

been the earliest assumed and the latest relinquished. Under this conviction, an enlightened Christian, when he turns his attention to political occurrences, will rejoice in beholding every advance towards freedom in the government of nations, as it forms not only a barrier to the encroachments of tyranny, but a security to the diffusion and establishment of truth."

"Christianity, instead of weakening our attachment to the principles of freedom, or withdrawing them from our attention, renders them doubly dear to us, by giving us an interest in them, proportioned to the value of those religious principles they secure and protect."—*Robert Hall, Works*, vol. iii. pp. 12, 13, 15.

I can never forget the emphasis with which the great man whose words have been just quoted, said to me in conversation in one of the few interviews I was favoured to have with him, "To die in the cause of Christianity is the highest honour that can befall any man. To die in the cause of civil liberty is the next."

NOTE III.

REASONS WHY CHRISTIAN MINISTERS SHOULD ATTEND TO POLITICS.

ROBERT HALL.

"There is no class of men to whom this species of knowledge,"—that of the principles of government,—“is so requisite, on several accounts, as Dissenting ministers.

"The jealous policy of the Establishment forbids our youth admission into the celebrated seats of learning; our own seminaries, at least, till lately, were almost entirely confined to candidates for the ministry; and as on both these accounts, amongst us, the intellectual improvement of our religious instructors, rises superior to that of private Christians, in a greater degree than in the national church, the influence of their opinions is wider in proportion. Disclaiming, as they do, all pretensions to dominion, their public character, their professional leisure, the habits of study and composition which they acquire, concur to point them out as the natural guardians, in some measure, of our liberties and rights. Besides, as they are appointed to teach the whole compass of social duty, the mutual obligations of rulers and subjects will, of necessity, fall under their notice, and they cannot explain or enforce the reasons of submission without display-

ing the proper end of government, and the expectations we may naturally form from it; which, when accurately done, will lead into the very depths of political science.

“There is another reason, however, distinct from any I have yet mentioned, flowing from the nature of an Established religion, why Dissenting ministers, above all men, should be well skilled in the principles of freedom. Wherever, as in England, religion is established by law with splendid emoluments and dignities annexed to its profession, the clergy who are candidates for these distinctions will ever be prone to exalt the prerogative, not only in order to strengthen the arm on which they lean, but that they may the more successfully ingratiate themselves in the favour of the prince, by flattering those ambitious views and passions, which are so readily entertained by persons possessed of supreme powers.

“The boasted alliance between Church and State, on which so many encomiums have been lavished, seems to be little more than a compact between the priest and magistrate, to betray the liberties of mankind, both civil and religious. To this the clergy, on their part at least, have continued steady, shunning inquiry, fearful of change, blind to the corruptions of government, skilful to discern the signs of the times, and eager to improve every opportunity, and to employ all their art and eloquence to extend the prerogative, and smooth the approaches of arbitrary power. Individuals are illustrious exceptions to this censure; it however applies to the body, to none more than to those whose exalted rank and extensive influence determine its complexion and spirit. In this situation, the leaders of that church, in their fatal attempt to recommend and embellish a slavish system of principles, will, I trust, be very carefully watched and opposed by those who hold a similar station amongst the Dissenters; that, at all events, there may remain an asylum to which insulted freedom may retire unmolested.”—*Robert Hall, Works*, vol. iii. pp. 23–25.

QUARTERLY REVIEW.

It is always satisfactory, on a point of importance like that under consideration, when we find a uniformity of opinion among able men, whose general views in religion and politics are diametrically opposed to each other. That satisfaction I enjoyed in no ordinary degree, in reading the following striking passage from a powerful article on “the Universities,” in the last number of the Quarterly Review. In the greater part of that article I decidedly differ from its able writer, but in the remarks which follow, I most cordially concur:—

“ No maxim is more false and destructive to the true interests of states, than one which has been hypocritically asserted of late, and succumbed to without dispute, that men devoted to religion and education are not fit to take part in politics ; that their great duty is seclusion, and their great use inaction. The very contrary of this is the truth. Men, indeed, of peace and piety [and study, naturally shrink from the rough battles of the world ; they have with it few interests in common, they neither understand its language, nor are capable of regulating its movements—but, when and where ? only in the petty squabbles for place and power—in the drudgery of covetousness—in conflicts where no great or holy end is to be gained. In all such deeds and struggles, men of religion and learning must stand apart, and must be useless. They can only disgrace and render impotent their own power, by attempting to interfere. But, when the great interests of mankind are at stake, and a nation is to be rescued from the ruin of its liberties and religion—then, when no good or great mind can remain unmoved, it is their first duty to come forward. They have no right, in the indulgence of indolence or timidity, to give up the control of things to hands less capable of controlling them fitly. They are bound to save society from corruption, by leavening it with their own high spirit ; and they have in all such cases a power which they have not in any other, and which few men possess but themselves. They then possess the command over all the better portion of the community ; they can unite men to themselves in the strongest faith by honesty of purpose and singleness of mind ; and they have the only lever by which, with the exception of blind passion, mankind can be gathered together, and propelled with force against an enemy.”—*Quarterly Review*, vol. lix. pp. 442, 443.

As to the reference of these remarks, the author and myself, probably, have a very different view—as to their truth and importance we are completely at one. There are two men especially, towards whom the eyes of the lovers of freedom are directed at this crisis, with anxious, hopeful desire. What a beneficent power might the authors of the “ Essay on Decision of Character,” and of the “ Advancement of Society,” and the “ Prospects of Europe,” put forth, were they but communicating to the world their “ deep and retired thoughts” on the mighty questions which are now agitating the public mind.

It is matter of great congratulation to all lovers of truth and freedom, that the general prejudice against ministers intermeddling in any thing approximating to political discussion, has not prevented such

men as BALLANTYNE, and MARSHALL, and WARDLAW, and PYE SMITH, and HEUGH, and JAMES, and THOMSON, and BINNEY, and YOUNG, and many more whom space prevents us from naming, from performing the invaluable service to the Church and society at large which they have done, by their literary labours on the Voluntary Church question.

The charge of an over-fondness for political studies and pursuits against the Dissenters generally, and Dissenting ministers particularly, comes with a very bad grace from those who usually bring it—for two reasons; first, the clergy of the Establishment are generally politicians, in the worst sense of the word, keen partizans—and, secondly, by refusing Dissenters equal civil rights, by obstinately shutting the ear to their very reasonable request, to be let alone with regard to their religion, they compel the Dissenters to become politicians in their own defence. In the United States of America, where there is no Establishment, a political partizan is scarcely to be found among the ministers of any religious denomination. Let those who dislike political parsons employ the means which have produced the desired effect on the other side of the Atlantic, and I rather think they will find them equally efficacious on this.

NOTE IV.

MISTAKEN INTERPRETATION OF ROM. XIII. 1-7, BY THE FRIENDS OF FREEDOM.

A very considerable portion of the misinterpretation of Scripture has proceeded from the friends of truth. Not satisfied with showing that a passage of Scripture, which has been claimed by the enemies of truth, does not really serve their purpose—they have often attempted to compel it, unwillingly, to say what is directly opposite to their adversaries' views. Not content to snatch the weapon out of their antagonist's hand, they have endeavoured to turn it, even when not fitted for such a purpose, into an instrument of vengeance. This has been remarkably the case with regard to the passage now before us. Almost all the defenders of freedom have, more or less, misapprehended or misrepresented the meaning of the apostle; and it is curious, that perhaps the least exceptionable interpretation of it, upon the whole, in the compass of our theological literature, is that by the able and accomplished high Churchman, Bishop Sherlock.

BUCHANAN, speaking of this passage, says, "Non igitur hic Paulus de iis, qui magistratum gerunt, agit, sed de ipso magistratu, hoc est, de functione et officio eorum, qui aliis præsunt; nec de uno aut altero genere magistratus, sed de omni legitimi magistratus forma."—*De Jure Regni apud Scotos*, p. 149. Glasg. 1750.

MILTON, by "the higher powers," seems to understand the laws, and by "the powers that be," authorities which deserve the name. In his "Defence of the People of England," he remarks, "The words immediately after, make it as clear as the sun, that the apostle speaks only of a lawful power; for he gives us in them a definition of magistrates, and thereby explains to us who are the persons thus authorized, and upon what account we are to yield obedience, lest we should be apt to mistake, and ground extravagant notions upon his discourse. 'The magistrates,' says he, 'are not a terror to good works, but to evil: wilt thou then not be afraid of the power? Do that which is good, and thou shalt have praise of the same: for he is the minister of God to thee for good. He beareth not the sword in vain: for he is the minister of God, a revenger to execute wrath upon him that doeth evil.' What honest man would not willingly submit to such a magistracy as is here described? And that not only to avoid wrath, and for fear of punishment, but for conscience' sake."—*Milton's Works*, vol. i. p. 478. Fol. Lond. 1738.

LOCKE says, "That St Paul, in his direction to the Romans, does not so much describe the magistrates that then were in Rome, as tells whence they, and all magistrates every where, have their authority, and for what end they have it and should use it."—"From what is said, ver. 3, it seems that Paul meant here magistrates having and exercising a lawful power."—*Paraph. and Notes on the Epistles of Paul*. Works, vol. iii. pp. 326, 327. Fol. Lond. 1740.

HODDLY also considers the description in ver. 3, as a description, "not so much of what the Roman magistrates were, but of what they and all magistrates ought to be; and on the being which, depends their claim to subjection."—*Measures of Submission to the Civil Magistrate considered*, Pp. 41-43. 8vo. London, 1718.

BISHOP FLEETWOOD'S "Thirteenth Chapter of the Romans vindicated from the abusive sense put upon it," is much more remarkable for its witty exposure of the absurdity of the misinterpretations of the advocates of the divine right of kings to rule wrong, than for accurate exposition of the sacred text. It is, however, well worth reading.

Following out this mode of interpretation, the REFORMED PRESBYTERY declare, that neither this, nor any other passage of Scripture,

proves “that it is the duty of the people of God, blessed with the knowledge of his revealed will, to submit to, or obey, for conscience’ sake, an authority that is sinful, and opposite to the revealed will of God, both in its constitution and general course of administration;”—“that the *being of God*, or the ordination of God here spoken of, is not a being of God *providentially* only, but such a *being of God* as contains in it his institution and appointment, by the warrant of his law and precept; so that the magistrates, to whom the apostle enjoins obedience, are such as are set up according to the preceptive ordination and will of God.”—*Act, Declaration, and Testimony, by the Reformed Presbytery*. Edinburgh, 1777. Pp. 145–151.

“When the apostle says, ‘There is no power but of God: the powers that be are ordained of God,’ he certainly means either the office of magistracy in all its different branches in the abstract, or else the office filled with virtuous rulers only.”—*M^r Millan’s Letter to Messrs Belfrage, &c.* Pp. 58, 59.

NOTE V.

REASON WHY THE APOSTLES SO OFTEN INCULCATED THE DUTY OF CIVIL OBEDIENCE.

BAXTER.

“Many occasions concurred to make this document of the apostle necessary to the Romans. 1. There were heretics crept in among them that abused the doctrine of Christian liberty, and persuaded them that subjection to the rule of magistrates was against their liberty; 2. And the weaker Christians were the easier induced to entertain this doctrine in part, because they were heathen magistrates that they were under. And the Christians being (justly) prohibited by the apostles to go to law about personal injuries before heathen judges, but to agree among themselves, they were the readier to have low thoughts of judges as useless or burdensome, or not fit to be governors of Christians. 3. And especially because many of the Christians had been Jews that were hardly brought to any but a forced submission unto Gentile rulers, and were ever prone to rebel against them, thinking it an honourable vindication of their holy state and church, which they thought no heathen had right to rule over. The first heretics rising from the Jewish Christians, and Judaizing so pal-

pably in this as in other things, and the weaker sort of the Jewish Christians being so prone to hearken to them, gave great occasion to the apostle thus to press the doctrine of subjection. Note, that the main question here resolved is, ‘Whether magistracy and heathen magistrates should be submitted to as God’s ordinance for conscience’ sake?’ And so it was about the very state of subjection: which among us Christians is a matter past doubt; though we are not all agreed about obedience in some particular cases.”—*Baxter’s Holy Commonwealth*, Pp. 346, 347.

SHERLOCK.

“ST JEROME, in his comment upon the Epistle to Titus, at these words, ‘Put them in mind to be obedient to principalities and powers,’ gives this reason why the apostle there, and elsewhere, insists on the obligations which Christians were under to obey their rulers; ‘Quia Judæ Galilæi per illud tempus dogma adhuc vigeat et habebat plurimos sectatores.’—St Chrysostom, in his comment on the thirteenth of the Romans, teaches us the same thing: *Και γαρ πολυς περιεφερετο λογος τοτε, επι στασει και καινοτομια διαβαλλων τους Αποστολους, και ως επ’ ανατροπη των κοινων νομων, απαντα και ποιουνται και λεγονται*, ‘For there was at that time a strong report that the apostles were seditious and innovators, and that their principles and practices tended to the subversion of the common laws.”—*Sherlock’s Discourses*, vol. iii. p. 306.

TERROT.

“How necessary the admonition contained in Rom. xiii. 1, was, we may learn from history. The empire was about this time full of sedition and assassinations, and the three emperors, Caligula, Claudius, and Nero, were all taken off by violent deaths. The Jews also but a little before had been banished from Rome by Claudius, on account of their turbulence.—Acts xviii. 2; Suet. in Claud. 25. The doctrine of resistance had been inculcated by the Pharisees. Joseph. Antiq. xviii. 2.”—*The Epistle of Paul the Apostle to the Romans, with an Introduction, Paraphrase, and Notes, by C. H. Terrot, A. M.*, p. 292. Lond. 1828.

NOTE VI.

THE TRUE PRINCIPLE OF BIBLICAL INTERPRETATION.

The extent to which the sentiments in this paragraph,—sentiments in themselves perfectly harmless, and long universally admitted and acted on among intelligent expositors,—have been misrepresented as if they contained in them the concentrated essence of Neologism, may excuse, if it do not seem to require the endeavour to give a somewhat fuller statement and illustration of them, which is all, I believe, that is necessary to their vindication, with candid minds. In one point of view, the Holy Scriptures are precisely the same thing to us, as they were to those to whom they were originally addressed. To us as well as to them, they are the authoritative utterance of the Divine mind and will, the supreme rule of faith and duty both religious and moral. In another point of view they may not be,—in many particular instances they are not, the same thing to us that they were to them. The law of Moses, which forms an important part of the inspired volume, was a very different thing to the Jew, who lived before the law was “done away in Christ,” from what it has been ever since, or, whatever some Millennarians may dream of, ever again will be to either Jew or Gentile. Some commands of our Lord, couched in general terms, such as, “sell that ye have and give alms,” were intended, in the full extent of their literal meaning, to be a rule of conduct to those to whom they were addressed, while on us they are obligatory, merely as containing a general principle, which may be applied to our circumstances as well as to theirs. With regard to very many particular passages of Scripture, the answer to the two questions—what was it to *them*? what is it to *us*? will be found identical. But the cautious interpreter will always put them, in his own mind, though he will by no means find it necessary in a majority of cases, to bring forward more than the general result in his exposition. The manner in which I apprehend the principle stated in the text should be applied to the interpretation of the apostolical epistles, will appear from the following remarks, written many years ago, and certainly with no suspicion on my mind, that I was likely at any future period to be called to defend myself from the charge of Neological perversion of the Holy Scriptures. To protect them so far as in my power from both *Palæological* and *Neological* perversion, has been the leading aim of my ministerial labours.

The Apostolical Epistles form a very important part of the Christian Scriptures, and are admirably adapted, as they were certainly designed, for promoting the spiritual improvement of Christians in every country and age. To serve this purpose, however, they must be rightly interpreted. By the application of false principles of exposition, it is quite possible entirely to neutralize those qualities in the Apostolic Epistles, which give them their interest and utility, to convert the pure nectar of divine truth into vapid common-place, or deleterious error. It is lamentable to think, that there is more than a possibility of such a transmutation, and I know no system of interpretation, which, in the hands of some learned and ingenious men, has been more fatally efficient in this way, than the scheme which is based on the principle, that the Epistles are to be considered as occupied with subjects chiefly, if not solely, interesting to those to whom they were originally addressed, and bearing but indirectly and occasionally on the faith and duty of Christians in after ages—that they relate mainly to circumstances, tenets, doubts, and controversies, of a local and temporary character, and that however interesting they may be to the ecclesiastical archæologist, as containing the most authentic and particular information respecting the peculiarities of opinion and usage which distinguished the infant church, they afford but little that can contribute to the improvement of the unlearned Christian, in an era so remote as ours from the apostolic age, and in circumstances so different from those in which the primitive churches were placed.

This is a principle which, however disguised, bears on it very strong presumptive marks of unsoundness. The fundamental truths and duties of Christianity are the same in every country and age, and however the artificial manners of mankind may vary, the essential principles of human nature remain unaltered. It appears next to an impossibility that a Christian apostle should write a letter to a primitive church, in which by far the greater part of the discussions should not be of a nature calculated permanently to interest and instruct Christians; and notwithstanding all the learning, ingenuity, and labour, which have been devoted to the establishment of this theory, we find, when applied to the Apostolic Epistles, that it entirely fails; for when we have withdrawn from these Epistles, every thing that can with any shadow of probability be supposed to refer to the peculiarities of the primitive age, or of the particular church addressed,—every thing that has the slightest tincture of the topical and temporary, a vast mass both of doctrinal and practical matter remains, which is

equally applicable to all times and places under the Gospel economy ; and even in the discussion of local and obsolete controversies, such as that concerning the continued obligation of Mosaic rites, there are frequent references to the grand fundamental principles of Christian faith and duty—principles which are applicable to a countless variety of important purposes, besides that, to serve which they are there introduced. If we would read the Apostolic Epistles with advantage, we must consider them as a part of the permanent and universal revelation of God's will, and hear the Spirit, speaking to the churches in all ages, while directly addressing the churches in Palestine, Greece, or Italy, in Jerusalem, Corinth, or Rome.*

This is the worst and most dangerous error in interpreting the Apostolical Epistles, on which I have just been animadverting ; but there is more than a possibility of running into the opposite extreme. The meaning of many passages in this most valuable department of inspired Scripture, has been misapprehended, and of course misrepresented, by men coming to their consideration with their minds full of ideas borrowed from comparatively modern artificial modifications of the Christian Theology, which, though substantially accurate, have lost the beautiful simplicity of apostolic doctrine—and forgetting the very striking peculiarities of the primitive age, and of the different religious societies to whom these Epistles were originally written. The greater part of the Epistles is as applicable to us as to them, to whom they were primarily addressed—and there is no part of them, which, when rightly understood, will not be found profitable to us as well as to them, “ for doctrine and for reproof, for correction and instruction in righteousness : ” But there are passages—and not a few of them, where the instruction given has a reference to something peculiar either to the primitive age, or to the particular church, and which is not *directly* applicable to those who are placed in very different circumstances, though in almost every such instance conveying *indirectly* important instruction of a permanent and universal character. Such passages, too, not unfrequently occur in the bosom of discussions on subjects of unchanging interest—so that the attention of the expositor requires to be constantly awake—if he would acquit himself as “ a workman that needs not to be ashamed,” and “ rightly divide the word of truth.”

The occurrence of such passages in the Apostolical Epistles, is a very striking confirmation of the authenticity and genuineness of these sacred writings. Without that particularity of allusion by

* Gisborne on Colossians, § 1.

which they are so remarkably characterised, the internal evidence that they are what they profess to be, would not have been nearly so strong as it is. And on the supposition that they are what they profess to be, it is quite obvious that they could not be without such difficulties as we meet with, unless they had been accompanied by historical notices, more voluminous than the letters they were meant to illustrate. A careful study of the Epistles, and of the history of the age in which they were written, will frequently suggest important hints for the elucidation of passages that would otherwise be very obscure, if not unintelligible. And in the absence of all direct information, it not unfrequently happens that a reference to opinions and customs, modes of thought, and modes of expression, known to have existed at the period when they were written, and among the people to whom they were addressed, enables us more distinctly to apprehend the meaning of a statement, the appropriateness of an illustration, and the force of an argument.

If we would interpret the Scriptures satisfactorily, we must follow the course so distinctly pointed out, and forcibly recommended in the following extract from a late publication of a divine of the English Establishment. "It is not to the Bible without note and comment, that Protestants," he should have said well-informed Protestants, "appeal as the ultimate standard of religious truth, but (as their constant practice of interpretation shows) to the Bible with every note and comment from every quarter, not from any limited set of so called Fathers, or rather from certain digests of opinion from them, which pass over their manifold contradictions of each other and of themselves, but from all those legitimate and necessary helps which are supplied by grammatical, critical, historical, moral, and spiritual considerations, and which regulate our interpretation of every other book."—*Griffith's Christian Church as it stands distinguished from Popery and Puritanism*, p. 147. 8vo. Lond. 1837.

• NOTE VII.

ILLUSTRATION OF *ἐξουσία*, AS SIGNIFICANT OF MAGISTRATES, AND OF THE MEANING OF *υπερεχουσία*.

Εξουσία is obviously used as equivalent to *ἐξουσιαζοντες*, or *ἐξουσιαν χοντες*. It is an example of what grammarians call the use of the

abstract for the concrete. Kinoel (in *Com. in Tit.*) says, that this is “ex Hebræorum consuetudine loquendi,”—but the practice prevails in all languages. It is curious to observe, how very generally words properly significant of political power and authority have been employed to denote those invested with them. The Talmudists are accustomed to call magistrates רשות powers. Thus, in the Talmudical tract, *PIRKE ABOTH*, c. i. 10, Be not familiar לרשות with the powers; and c. ii. 3, Beware ברשות of the power.—*Schatgenii Horæ Hebraicæ et Talmudicæ*, vol. i. p. 568. Dresden, 1733.

In the letter of the Christians of Lyons and Vienne, in EUSEBIUS' Ecclesiastical History, Lib. v. 1, 4, the municipal magistrates who are called *duumviri*, are spoken of as εξουσιαι. DIONYSIUS HALICARNASSIUS (Lib. ii.) employs εξουσια in the singular for the magistrate, οἱ μὲν ραβδουχοὶ κελευσθέντες ὑπο τῆς ἐξουσίας ἀνείργον αὐτοὺς ἀπο τοῦ βήματος. JOSEPHUS (De Bell. Jud. Lib. ii. c. 7.) calls the same class of rulers the Apostle speaks of, κρατουντας—and quotes a maxim of the Essenes, which closely resembles the statement of the Apostle in the second verse, in which they teach—το πιστον παρεξιεν πασι, μαλιστα δε τοις κρατουσι, ου γαρ διχα Θεου περιγενεσθαι τιμι το κρατειν.

In the Roman writers, the higher magistrates, such as the Consuls and Prætors, were termed *Imperia*, or *Potestates cum imperio*. Magistrates of an inferior grade, such as Tribunes, Quæstors, Ædiles, were simply styled *potestates*.

Hujus qui trahitur prætextam sumere mavis
An Fidenarum Gabiorumque esse potestas.—JUV. x.

They, however, sometimes used the word *Potestas* as descriptive of the highest order of Magistracy, as

———— Nihil est quod credere de se
Non possit, cum laudatur diis æqua potestas.—JUV. iv.

PLINY Pangyr. 59, calls the consulate and the empire *summas potestates*.—AMMIANUS MARCELLINUS terms the higher authorities *potestates excelsæ*, Lib. xxv. 4.

The Italians use the word *Podesta* in a similar way, and we speak of the *Powers* of Europe.

NOTE VIII.

PROFESSOR STUART'S INTERPRETATION OF THE EXPRESSION *ἐξουσία*
απο Θεου.

The interpretation of the clause, "There is no power but of God," by this very learned, acute, and often judicious expositor, exceedingly surprised me. He would seem to look on magistracy as fully as much an infliction to be borne with patience as a benefit to be received with gratitude.—"All magistrates are by God's permission; and even when they are oppressive, the Christian is bound to regard them (so he should regard other evils) as existing by divine permission, and to bow submissive in all cases where direct disobedience to God is not demanded by them. Such a view of the subject is greatly adapted to satisfy the mind of a Christian, when he feels galled with the yoke of oppression. 'The powers that be are ordained of God,' and they should be submitted to, therefore, on the same ground that we take when we urge acquiescence in other afflicting dispensations of an over-ruling power."—*Stuart's Commentary on the Epistle to the Romans*, pp. 515, 516. 8vo. London, 1836.—This is a just idea in itself, but it does not seem to be the apostle's. He turns the attention of the Romans to the advantage of civil government, as calling for grateful acknowledgment; not to the accompanying disadvantages, as calling for ready submission. He represents the Roman government as a direct good—not a direct evil, and only an occasional good.—LOGAN, in his "Treatise on Government," more exactly brings out the apostle's idea. "Whatever the form of government is, that men have established agreeably to the dictates of right reason, so as to answer the valuable ends of it; it draws after it the Divine approbation, and it is 'of God.'"—*A Treatise on Government, showing that the Right of the Kings of Scotland to the Crown was not strictly and absolutely hereditary*, p. vi. 8vo. Edin. 1746.

NOTE IX.

SHERLOCK'S METHOD OF RECONCILING PAUL AND PETER.

The following passage is a striking illustration of the strange shifts to which even learned and ingenious men sometimes have recourse, to avoid coming at a conclusion to which they are strongly disin-

elined. Bishop SHERLOCK's high church notions naturally indisposed him to look on civil magistracy as a human institution. But how was he to get rid of Peter's assertion that it is *ανθρωπινη κτισις*? Let the Bishop himself answer the question. After saying that "if St Peter has taught us that kings are the ordinance of man—made by the people, he has contradicted St Paul,"—he goes on to remark, "How *κτισις ανθρωπινη* should signify a creature or any thing else made by man, I know not. *Ανθρωπινη σοφια* is not wisdom made by man, but wisdom which man has given him by God" (a very questionable statement). "So *κτισις ανθρωπινη* is not a creature made by man, but a human creature. And that this is St Peter's true meaning, will appear from the whole tenor of his discourse."—*Sherlock's Discourses*, vol. iii. p. 319. Thus, in order to uphold the slavish dogma that a king is so *divini juris* as not to be *humani juris*, an inspired Apostle must be made to write such nonsense as "Submit yourselves to every human creature for the Lord's sake, whether to the king as supreme," &c. How carefully should we guard against party spirit in interpreting the word of God, when we see to what an absolutely ridiculous length it carried so able a man as Sherlock!

NOTE X.

ON THE GROUNDS AND LIMITS OF CIVIL OBEDIENCE.

DR THOMAS BROWN.

"Our first patriotic duty is the duty of obedience. Why is it that we term obedience a duty? What circumstances are there in the nature of a system of government, by which, under certain limitations, it has a claim on our submission, merely because it already exists, and has long existed?

"The answer to this question was for a long time, even in our own land, a very simple one—that power established was established by God, and that disobedience to the individual whom he had established to exercise this power would be a rebellion against right divine.

'Who first taught souls enslaved, and realms undone
 The enormous faith of many made for one;
 That proud exception to all nature's laws,
 To invert the world and counteract its cause!

Force first made conquest, and that conquest law,
 Till superstition taught the tyrant awe,
 Then shared the tyranny, then lent its aid,
 And gods of conquerors, slaves of subjects made.*

“ The argument for the right divine of established power, which is in logic little better than any other argument for the right divine of any thing that exists, good or evil, merely as existing—for the prevalent system of manners, virtuous or vicious, or even, as has been truly said for the right divine, of a wide spread fever or any other pestilence, is as wretched in its moral consequences as it is ridiculous in logic—and it is painful to peruse the writings on the subject, which at one period, and that not a very distant one, were so prevalent, and in some cases, were the works of authors whom we are accustomed to venerate, not merely as philosophers, but as men who have given undoubted proofs of the most benevolent interest in the human race. Berkely, the Author of the Theory of Vision,—Berkely, the generous possessor of ‘ every virtue under heaven,’ is the same Berkely who endeavours to demonstrate to us, that it is as much our duty to submit to the most ferocious tyrant, as to submit to the supreme benevolence of God ; or rather that to obey such a tyrant is to obey Supreme Benevolence.

“ That God, the equal God of all mankind, has not formed us to be the slaves of any one individual, and in furnishing our minds with so many principles, that ensure our progress in less important sciences, has not abandoned us in the most important of all, to the selfishness of a power which may prefer the present misery of its own despotic sway to all that can be offered for its reformation ; because the reformation would abridge an authority, which it is more convenient for the possessor of it to exercise with no limit but that of will,—I surely need not now attempt to prove to you. On the right divine of authority, whatever vague allusion to it we may sometimes find in the courtly flatterers of the day, we have no writers now who require to be confuted.

“ There is indeed one species of right divine which established authority does possess, its tendency to the peace of those who submit to it, and consequently in that respect to their happiness, which as the object of our Creator has the sanction of the divine will. But it possesses this right divine only as tending to public happiness. It is secondary only, not primary ; and when the public happiness, instead of being upon the whole promoted by obedience, would, upon the

* Pope's Essay of Man, Ep. iii. v. 241–248.

whole, when every consequence, indirect as well as direct, is taken into account, be promoted by shaking off that power which is inconsistent with its great object, remonstrance, even rebellion itself, if that name can justly be given, in such circumstances of dreadful necessity, to the expression of the public will,—has as truly its right divine as established authority, even in its best state, could be said to have it, when as exercised with happier tendencies, it was productive of that good in which alone the divinity of its right is to be found.”—*Brown's Lectures on the Philosophy of the Human Mind*, Lecture xc. vol. iv. pp. 336–338. 8vo. Edin. 1824.

GISBORNE.

“ The obedience of the subject is immediately due to the existing government, in consequence of its possessing the delegated authority of the state. It is not however an obedience without limit : it is not due in any case in which it would be a breach of duty to God ; and in addition to that restriction, it is not due in any instance or degree in which the governors do not possess authority from the state to require it. The propriety of these exceptions is sufficiently apparent. No one would undertake to vindicate, by an appeal to human jurisdiction, what would be rebellion against the Sovereign of the Universe ; nor would any one conceive himself bound to support his lawful rulers in acts of usurpation.”—“ It is almost as improbable, it may be said, that the persecution and injustice of the days of Henry VIII. and Charles I. should revive, as it is impossible for the days themselves to return. The establishment of the principles of the Reformation and of the Revolution undoubtedly promises a great degree of security against similar dangers. But it is not possible to affirm, that in the fluctuation of human events and human interests, something similar to what has happened heretofore can never take place again. The evil may not recur in its ancient form, and diffuse itself to its ancient extent—yet however varied in appearance, it may be essentially the same. And on whatever principle it was the duty of a subject, in former times, to withstand at all hazards the commands of his governors, when they enjoined flagrant acts of impiety and injustice ; on the very same principles would it be the duty of an Englishman steadily to decline obeying any orders of his superiors, which his conscience should tell him were in any degree impious or unjust.”—*Duties of Men*, Chap. iv. vol. i. pp. 77–80.

ROBERT HALL.

The manner in which the supreme law of obedience to God controls, modifies, limits, and, in certain cases, supersedes the subordinate laws of obedience to men, is finely illustrated in the following passage from the writings of *Robert Hall*. The truth and its grounds could not be more clearly and satisfactorily stated.—“The relation which subsists between man and his Maker is prior to the civil relation between magistrates and subjects. It is a more important relation, since all the good a creature can enjoy is derived from it. It differs too from every other, in that it is immutable, perpetual, eternal. A man may or may not be the member of a civil community, but he is always the creature of God. For these reasons, political duties, or those which result from the relation of the subject to the prince, must, in their nature, be subordinate to the religious. When the commands of a civil superior *interfere with those which we conscientiously believe to be the laws of God*, submission to the former must be criminal: for the two obligations are not equipollent, but the former is essential, invariable, and paramount to every other.—‘Whether it be right,’ said the Apostles, ‘to obey God or man, judge ye.’”—*Hall’s Works*, vol. iii. pp. 364, 365.

NOTE XI.

“THE POWERS THAT BE” NOT EQUIVALENT TO THE LEGITIMATE POWERS.

ERASMUS SCHMIDT, the compiler of that most useful work, “*Ταμειον* Novi Testamenti,”—a man of whom the celebrated Heyné speaks as endowed with “*præclara doctrina*,” and says that every learned and candid judge will acknowledge “in iis in quibus hallucinatur, ingeniose tamen et sagaciter hariolari virum doctissimum”—this learned and ingenious man was, so far as I know, the first to broach the opinion referred to in the text. In a note in his posthumous work, “*Notæ et Animadversiones in Novum Testamentum, cum versione nova*,” Norimbergæ 1658, he remarks on his version—“*Quæ enim sunt legitimæ potestates eæ sunt a Deo*,” ‘the powers which are legitimate are from God’—that it is a convertible proposition—all legitimate power is from God—and all power from God is legitimate. The apostle adds this, to mark the difference of the power he speaks of

from the power, or rather the violence of robbers, depredators, antichrist, &c. ; all whose ἐξουσίαι are not οὐραὶ—all whose powers are not legitimate and true, and consequently not from God. Such powers Sophocles calls ἀρχαὶ οὐκ οὐραὶ.”—He then refers to a note on John x. 12, where he quotes a number of passages from the classics, besides Acts v. 17, and Rom. ix. 5. None of these passages support Schmidt’s opinion, and here the learned man seems “hallucinari”—though, as is his wont, “ingeniose et sagaciter.”

RAPHELIUS’ note is distinguished by his usual accurate learning and sound judgment. He admits that the participle of the verb of existence may be used in this way—but observes, “Hic quidem non video qui aliter possit accipi quam in proximo superiori membro verbum ἐστι.” ‘I do not see how the participle can be otherwise understood than the verb ἐστι is in the previous clause.’ He also quotes a passage from Herodotus, where the phrase τιμας τὰς εἰσφοράς obviously signifies—‘the existing magistrates.’

NOTE XII.

PROOFS OF THE UNDUE INFLUENCE OF JAMES VI. OVER THE TRANSLATORS OF THE BIBLE.

That the charge in the text is not an unfounded one, is well known to every person acquainted with the history of our translation. King JAMES, “the meanest prince,” as Bishop Burnet says, “that ever sat on a throne,” gave the translators a set of instructions, among which is to be found the following :—That “the Bishops’ Bible be followed, and as little altered as the original will permit.” In consequence of this, in many instances, an inferior rendering was retained in the text, and the better translation given in the margin. “The old ecclesiastical words” are ordered “to be kept, as the word *church*, not to be translated congregation.” “Something is here *supposed*,” as Robinson remarks, “either that an unbiassed translator would endanger the hierarchy, or that the oracles of God were given to serve the purposes of a party. Regal influence is too plain to be denied.”—*Robinson’s Claude’s Essay on the Composition of a Sermon*, vol. ii. p. 101. 8vo. Lond. 1788.

On this principle, I suppose, we have the strange heathenish word

“Easter,” in Acts xii. 4, instead of the Passover. *Επισκοπος* is always rendered bishop, except where such a rendering would have showed that the primitive bishop and elder was the same office-bearer as in Acts xx. 28. It has been supposed that it was because their king, whom they flattered in language fit only for the divinity, had the name of God as well as the devil too often in his mouth—that they translated *μη γενοιτο*, which signifies “let it not be”—“by no means”—by the phrase “God forbid.” Though such a charge has been brought against them, it seems disproved by the facts that Wiclif has “God forbede,” and Tindal, and the Genevan translation, as well as the Bishop’s Bible, have “God forbid.”—Many of the succeeding translators have followed the authorized version in this “vain” use of the divine name. The rendering of Purver the Quaker, “Far be it,” or of Mace, Wakefield, Macknight, and the Improved (Unitarian) Version, “by no means”—or of Harwood “far from it,” would obviously be preferable. These remarks are not intended to cast any doubt on the general accuracy, and, indeed, high-rate excellence of our *authorized* version. Though not faultless, (as what human work is?) it is most highly estimated by those who are best acquainted both with the languages from which, and with the language into which, the version was made.

The story about the would-be despot’s wrath against the free-spoken German divine, is curious. DAVID PAREUS, an eminent German Calvinist, who was also professor at Heidelberg, published in Frankfort, in 1608, a Latin commentary on the Epistle to the Romans, in which he held “that those subjects who are not entirely private persons, but occupy inferior magistracies, may defend themselves, and the state, and the church, or even the true religion, with arms against the sovereign magistracy, on certain conditions.” The king could not overlook this political heterodoxy, even in a foreign divine, but caused the work of Pareus, which is a very judicious exposition, to be burnt at London by the common hangman, and to be condemned in the most opprobrious terms by the university of Oxford. Dr David Owen was engaged to answer the book, which he did in a publication, entitled, “*Anti Pareus seu Determinatio de jure regio.*” Philip Pareus defended his father, in a work in which he maintained, “that there is not at present in Christendom a king or sovereign prince who is really king, that is entirely absolute, and having none but God above him; but that they are only *conventional kings*, against whom the inferior magistrates may revolt, if they do not keep the convention to which they are bound.” James needed

not have been so angry. He might have found much less digestible doctrine than this, in the work of his illustrious preceptor, "De Jure Regni inter Scotos."—*Vide Aikin's Life of Selden and Usher*, p. 422.

NOTE XIII.

AUTHORITIES FOR THE MODE OF DIVIDING THE APOSTLE'S REASONS FOR CIVIL OBEDIENCE.

ATTERBURY, in his celebrated "Concio ad Clerum," after quoting the Greek words, adds, "Qui restiterint sibi ipsis perniciem accersent, commissi facinoris pœnas luent. *Κριματος* nomine non æternæ tantum pœnæ significantur a Deo aliquando exigendæ; sed et illa etiam supplicia quibus in hac vita coercentur improbi. Eo sensu in sacris scriptoribus usitata frequentius et trita vox. Luc xxiii. 40; xxiv. 20; 1 Cor. xi. 29, 34; 1 Pet. iv. 17; Apoc. xviii. 20, ut hic loci etiam accipiat suadet certe apostolici et argumenti et orationis nexus. 'Qui resistunt ipsi sibi damnationem acquirunt: NAM principes non sunt timori boni operis sed mali,' &c.—*Concio ad Clerum Londinensem, a Francisco Atterbury, S. T. P.* Lond. 1709. 'They that resist shall bring destruction upon themselves, shall suffer the punishment of their crime. By the word *κριματος* are signified not only eternal punishments to be one day inflicted by God, but likewise those penal sanctions whereby wicked persons are awed and restrained in this life. In that sense the word is very often and commonly used by the sacred writers, and certainly the connexion both of the apostle's argument and discourse, direct us to understand it so here also. "They who resist shall receive to themselves damnation, for rulers are not a terror to good works, but to the evil."'

"The apostle," says Bishop SHERLOCK, "uses a second argument to enforce his doctrine laid down at first in the words of the text, 'Let every soul be subject to the higher powers.' And here the first doubt is where the argument begins; for the words immediately following those last treated of, may either be taken as the first of the second argument, or as a farther conclusion drawn from the first: 'And they that resist shall receive to themselves damnation.' If they who resist the powers do resist the ordinance of God, it may certainly be affirmed, by evident consequence, that they who resist shall receive to

themselves damnation : so evident a consequence, that it can lose nothing of its force, though these words should not be understood to contain it, but should be taken as introducing a new argument, as, upon the whole, I incline to think, they ought to be taken. For the words immediately following contain a reason of something going before : ‘For rulers are not a terror to good works, but to the evil ;’ but this will not prove that all who resist shall be damned, for rulers are not the judges or the cause of damnation : but if we understand the apostle in these words, ‘all who resist shall receive to themselves damnation,’ as entering on a new topic, and setting forth the certain evil consequences which, even in this life, should attend the seditious, who would render themselves justly obnoxious to the powers of the world, and be liable to their censure, it then very properly follows, ‘for rulers are not a terror to good works, but to the evil.’ To show that the language in the original admits of this sense, or that the present division of verses is no authority on one side or the other, is a labour I may well save myself in this audience.” (The Benchers of the Temple.)—*Sherlock’s Discourses*, vol. iii. pp. 310, 311.

KOPPE’S note is short, but good : “ *Κριμα λαμβανειν*, i. q. *κρινεσθαι*, Jac. iii. 1 ; Matth. xxiii. 14 :—*ἐαυτοῖς*, *sua culpa* ; *κριμα*, *pœnæ tum a magistratibus tum alia ratione, Deo ipso infligendæ* : unde etiam versus 2tius his arete jungendus : *punientur, nam ad id constituti sunt magistratus, ut pœnis coerceant malos*.”—*Koppe, Nov. Test.* vol. iv. pp. 131, 132.—‘*Κριμα λαμβανειν* is the same as *κρινεσθαι*, James iii. 1. *ἐαυτοῖς* by their own fault.—*κριμα*, punishments inflicted by the magistrates—and in another point of view by God himself—whence also the 3d verse is to be closely joined to this, “They shall be punished, for for this purpose are magistrates appointed, that they should punish the wicked.”’

WHITBY takes the same view of the connexion :—‘*Εαυτοῖς κριμα ληφονται*, “They shall be sentenced, punished, and condemned for it by the magistrates.” To this sense the connexion inclines, “They shall receive sentence or punishment” (from the rulers), “for rulers are a terror to evil doers.” *Whitby in loc.*—BUCHER, in his excellent “*Metaphrasis et Ennaratio*, in *Epis. ad Rom.*” gives the same exposition.—P. 561. Fol. Bas. 1562.

JOHN WALKER of Dublin, a ripe scholar, and an acute critic, in his “Remarks corrective of occasional mistranslation of the English version of the sacred Scripture,” observes, “In Rom. xiii. 2,” where we read, “they that resist shall receive to themselves *damnation*,” we ought to read, “shall receive to themselves *judgment* ; and the judg-

ment immediately intended is that ‘wrath’ spoken of in the 4th and 5th verses, which earthly rulers are designed to execute upon him that doeth evil.”—*Walker’s Essays and Correspondence*, vol. ii. p. 61. Lond. 1838.

NOTE XIV.

EXCELLENCE OF THE ROMAN LAW.

It deserves to be remarked, that the body of the civil law, which the Roman magistrates administered, still forms the substance of the laws of all modern civilized nations, and that generally the Roman rule was the chief extender of civilization in the ancient world. Sir James Mackintosh terms it “that grand monument of human wisdom,” and it has been justly observed, that “this jurisprudence preserved personal liberty at Rome, when political liberty was wholly gone—always mitigating, often controlling the imperial despotism. There are fewer instances of oppressive proceeding by law (and nothing was done there but by law, where it was not military execution), in the despotism of imperial Rome, than in any nation enslaved or free that has been known in the world.”—“The system of Grotius is in a very great degree generally, and in its parts also, founded on the civil law of Rome.”—*Wilde’s Preliminary Lecture*. Edin. 1791.

“The laws of all nations,” says Lord Holt, “are doubtless raised out of the ruins of the civil law, as all governments are sprung out of the ruins of the Roman empire.”—“Notwithstanding the different forms of the governments of Europe, and the great variety of their political and judicial systems, the civil law has obtained either a general or a partial admittance into the jurisprudence of almost all of them; and where it has been least favourably received, it has been pronounced a collection of written wisdom. This could not have happened, if it had not been deeply and extensively grounded on principles of justice and equity, applicable to the public and private concerns of mankind, at all times, and in every situation.”—“The short but very learned treatise of Arthur Duck, *De usu et auctoritate juris Civilis in Dominiis principum Christianorum*, conveys in elegant language and a pleasing manner, complete information on the nature and extent of the influence of the civil law on the jurisprudence of the modern state of Europe.”—*Butler’s Horæ Juridicæ, Philological and Biographical Works*, vol. ii. pp. 64-77. 8vo. Lond. 1817.

“The system of Roman jurisprudence has for many centuries been regarded as one of the most conspicuous monuments of human wisdom and genius ; and its powerful influence on modern legislation, has been felt and acknowledged by every civilized nation of Europe. Although it has long ceased to retain the full authority of written law, it can never cease to attract the notice, and to excite the admiration of lawyers who are capable of ascending to this clear and copious fountain of juridical knowledge.”—*Introduction to the Study of Civil Law*, by David Irving, LL.D., p. 1. Lond. 1837.—A work full of curious and accurate information. The general reader will find an interesting view of the Roman jurisprudence, in the 44th chapter of Gibbon’s *Decline and Fall of the Roman Empire*. It is a subject of regret that the study of civil, *i. e.* the Roman law, has in a great measure ceased to be a part of a liberal education in this country, as it once was, and as it still is, as Dr Irving remarks, “in those countries most remarkable for the extent and solidity of their erudition.”—“Nothing,” says a French writer, quoted by Dr Jortin, “is more proper to form the mind and manners than the study of the Roman law. Every one who is of any considerable rank in life, ought to have perused once at least the institutions and the code of Justinian.” “I am of the same opinion,” adds the doctor, “and I add to these the Theodosian code, for the light which it gives to ecclesiastical history.”—*Jortin’s Tracts*, vol. i. p. 437. Lond. 1790.

NOTE XV.

THE LAWS OF THE ROMAN GOVERNMENT RESPECTING RELIGION NOT OBLIGATORY ON CHRISTIANS.

The two extracts which follow, the first from a Church of England divine—and the second from a dissenting minister, both of them able and zealous advocates for their respective peculiarities of creed and usage, confirm and illustrate the doctrine taught in the exposition, as to the *first* of the limits, within which the law of civil obedience was obligatory on the Roman Christians.

WELLS.

“I think we cannot have a better comment, and one of more authority on St Paul’s doctrine of non-resistance, in this place, than that

we have given us by S. Polycarp (who conversed with the apostles), and which is set down in the account of S. Polycarp's martyrdom, *num.* 10. His words are these: Δεδιδαγμεθα γαρ αρχαις και εξουσιαις υπο του Θεου τεταγμεναις τιμην κατα το προσηκον, ΤΗΝ ΜΗ ΒΛΑΠΤΟΥΣΑΝ ΗΜΑΣ, απομενειν. It is not to be doubted but S. Polycarp had here respect particularly to this place of the Epistle to the Romans, taking from it these words, εξουσιαις υπο του Θεου τεταγμεναις. Whence it follows, that S. Polycarp understood St Paul to teach in this place, that we should render to the powers and authorities ordained of God τιμην κατα το κροσηκον, *due honour*, namely, την μη βλαπτουσαν ημας, *such as is not hurtful to us*. For our R. R. and learned Diocesan has given us the true meaning of S. Polycarp, in adjoining this last clause, by way of explication, by rendering this passage thus, 'ALL due honour such ONLY excepted as would be hurtful to ourselves': *i. e.* hurtful (not to our temporal or bodily state, for S. Polycarp was then going to pay passive obedience even to death, but) to our spiritual and eternal welfare, viz. by denying Christ (or the like) which was what the proconsul demanded of S. Polycarp. Accordingly the learned Dr Cave well renders the forecited passage thus: *All that due honour and reverence, that is not prejudicial and contrary to the precepts of religion.*"—Wells' *Help for the More Easy Understanding of St Paul's Epistle to the Romans*, p. 103. 4to. Lond. 1711.

MICAIAH TOWGOOD.

"The subjection to higher powers and obedience to magistrates, which the Scriptures enjoin upon Christians, relates only to civil, not at all to religious matters; for this obvious reason that the magistrate at that time was every where Pagan. The apostles, therefore, instead of paying or exhorting Christians to pay any subjection to him in religious affairs, strenuously exhorted them to renounce and disavow it, to 'come out from among them and be separate.' They were every where dissenters from the Established Church.

"Christianity is so far from enjoining, that it actually forbids obedience to civil governors in all things of a religious nature. It commands us to 'call no man upon earth father or master,' *i. e.* to acknowledge no authority or jurisdiction of any in matters of religion; but to remember that ONE, one only is our master and lawgiver, even CHRIST.

"All the powers or authority which the Scriptures give the magistrate, relates only, and can relate only, to things of a civil nature, but cannot at all relate to things of worship and religion.

This can never be contested, because the magistrate at the time when the Scriptures were written, and for near three hundred years after, was Infidel or Pagan. St Paul, therefore, by commanding us 'to be subject to the higher powers,' and 'to obey magistrates for conscience' sake, because they are the ministers of God for good,' does not in the least require our obedience to their decrees as to ceremonies or forms of worship, or our conformity to their establishments in things of a religious nature. No: St Paul himself was a zealous non-conformist. He was accused of the heinous sin of schism, by that great champion of the Pagan Ephesian church Demetrius, the shrine-maker to the goddess Diana; and so far was this great apostle from 'submitting himself to every ordinance of man,' that he was publicly charged with having 'not only at Ephesus, but almost throughout all Asia, persuaded and turned away much people' from the then established religion, 'saying that they be no gods which are made with hands.' And when certain of the philosophers of the Epicureans and of the Stoics encountered him at Athens, and brought him to Areopagus, that they might know what that new doctrine was whereof he spoke, he entered on his subject with a spirited, unqualified protest against the established religion of the state. 'Ye men of Athens, I perceive that in all things ye are too superstitious.' So that, though St Paul knew that the powers that be are ordained of God, he also knew that these powers were confined to those civil purposes, for which society was instituted, that the magistrate was to execute wrath upon him that doeth evil; and therefore, so far was St Paul from extending this authority of the powers that be over the rights of conscience or private judgment, that he made it the grand scope of his labours, as did all the other apostles by their preaching and their lives, to persuade and draw off from the established forms of worship, and to convince them that in these affairs there was one King only and one Lord, to whom their homage alone was due, even Jesus, who by his sufferings had merited this high honour, and to whom alone God had commanded that in things of religion 'every knee shall bow.'"—*Towgood's Dissent from the Church of England fully Justified*, Pp. 11 and 241, 242. Lond. 1811.

NOTE XVI.

BISHOP HODDLY'S CONCLUSIONS FROM PAUL'S ASSERTION OF HIS CIVIL RIGHTS.

"Can any one think that these passages were recorded for nothing, but to serve for an embellishment of St Paul's story? Or can any one think that St Paul had a regard to his own particular worldly interest in these parts of his conduct; he that had suffered, and knew that he was to suffer, much greater hardships? He that was ready to give up his life for the sake of Christianity, and to follow his Master through all indignities, and all persecutions, when the glory of God should call him to it? No, it was something more than his own part in this world which engaged him to show himself after this manner; for this he could with the greatest ease have neglected. But the happiness of humane society, and the good estate of the inferior part of mankind, moved his soul to a generous indignation against every thing in government which savoured of tyranny; and kindled in his breast a zeal for every thing which it was fit for subjects to enjoy. Let us therefore see if his behaviour will not lead us to some useful and important thoughts, relating to Christians incorporated in civil societies.

"1. I need not take particular notice that St Paul thought it not beneath a Christian, and an apostle, to concern himself with his rights and privileges, as he was a subject of the Roman state. He knew as well as any since his time, that he belonged to a city above, whose builder is God; he knew that his chief concern was eternity and heaven; he knew that no tyrannical magistrate could rob him of his innocence, or of his salvation: and yet, he considered himself likewise as a member of humane society, and acted the part of one who had a just sense of the privileges of his citizenship here on earth, as well as of that citizenship in heaven, which he speaks of to the Philippians and Ephesians. And why should it be thought unworthy of any other preachers of the gospel, to imitate so great an example, in the same great concern for the good of humane society? To proceed,

"2. Let St Paul himself answer all those who have on his authority pretended to exalt the executive power above all laws; and above the very ends of that office for which they were instituted. He, it is plain, knew nothing of this: nor did he carry the obligation of a quiet submission to any such instances as were contrary to the de-

sign of that office. Let them learn from himself, that when he speaks highly of the magistrates, it is of such who are gods indeed, in humane society ; such as maintain the character and dignity of their station by answering the ends of it ; and that when they descend to invade the privileges they were ordained to guard, he knew no such profound respect to be due to them. Let them learn from him, that the laws of the Roman State were above the executive power ; and that mere authority of the magistrate could not make that law, which was against the written laws ; or oblige him to comply with what was injurious to his civil privileges. Let them learn from him, that he understood not his Master's doctrine concerning the governors of this world, to extend beyond the privileges and happiness of the governed society ; and that he himself, in his own doctrine delivered in other places, meant nothing contrary to these. Let them learn from his practice, which is certainly the best interpreter of his own doctrine, and that of his Master and fellow-apostles, that when he saith ' there is no power but of God, the powers that be are ordained of God ; ' and that when his great Master acknowledges the power of Pilate to be from above, no more could be meant, than that it was agreeable to God's will that some persons should be invested with power for the good of humane society ; not that God had made them uncontrollable in acting against his commission, and to the ruin of their fellow-creatures. Let them learn that when St Paul commanded respect, and forbid opposition to the higher powers ; and that when St Peter commanded the same subjection both to the supreme and deputed magistrates, they were considered as acting the best part in the world ; and nothing intended by this, to oblige subjects to a quiet submission to such illegal and unjust conduct, as affects and shakes the universal happiness. And,

" 3. If they still repeat the old question, who shall judge of the invasion of privileges ? Let the same St Paul answer them, who in the capacity of a subject more than once is recorded (in the short history we have of his actions) to have presumed to judge concerning his own privileges, against the invasion of the magistrate ; and to have done this as by a right belonging to every member of the same society. His Christianity did not make him forget that he was a Roman : and, as a Roman, he judged that he had the privileges of a Roman : and these his Christianity did not oblige him to give up to any mortal, as long as he could with honour keep them. The possibility of his mistaking in this, in which he acted not as an apostle, was no argument to him against this right ; nor did the weakness of other

men's judgments prevail with him, not to set them an example of judging in the like circumstances.

"What confusion, what disorder, say some, must ensue, if subjects be allowed to judge concerning the invasion of their rights and privileges? But let them believe St Paul for once, that much more misery must ensue upon humane society, if it be a settled point that the executive powers may absolutely, and without control, determine what they please concerning the inferior part of the world. If any one ask where he saith this, I answer, his behaviour speaks it aloud; for he never would have acted the part which he did, could he have thought it more for the public good that subjects should give up all their judgments to the determination of their magistrates, than that they should judge concerning the violation of their common rights after the best manner they could. Let not men, therefore, forget modesty so much as to laugh out of countenance this right of judging in subjects, which St Paul himself claimed merely as he was a subject.

"4. Let those learn it from St Paul, who will not learn it from others, that rights and privileges, liberty and property, and the like, are not words fitted only to raise the spirits of the people, and to foment disturbances in society; but that they are things worth contending for. Some may think (unless respect to an apostle a little divert them from it) what great matter if St Paul had borne a little scourging? Or why could not he pass over the injuries offered him by his governors? To which I know no better answer than this, that his behaviour was what it was, merely because they were magistrates, *i. e.* because it was a case not of concern to himself only, but to humane society. For he could bear, and pass by injuries as well as any man; and had they been private persons who had offered him the same indignities, I doubt not he had borne them without any return but that of forgiveness.

"But when the civil privileges of that society to which he belonged were invaded by those whose duty and profession it was to maintain them, he thought it a just occasion to show his sense of so great an evil, though it immediately touched only himself. The consideration of the character and office of those who offered the injuries, was so far from determining him to pass them over with silence (according to some men's way of arguing) that it was the very thing that made him look upon them not as private injuries, but with a resentment due to injuries of a public and universal concern. And however some may ridicule the liberties of subjects, St Paul, it is plain, was for

standing fast, not only in the liberty with which Christ had made him free from the Jewish law of ceremonies, Gal. v. 2; but also in that liberty with which the laws of nature and of the Roman state, had made him free from oppression and tyranny. For,

“ 5. It is another observation which we may make from his example, that he thought the end of written laws to be the security of the subject, against any arbitrary proceedings of the executive power; and that this could not be, unless the executive were governed by these laws as well as the subject. If this had not been his opinion, it had been frivolous for him to have urged his privileges founded upon the laws; by urging of which he plainly implies, that they were the measure of the magistrate’s behaviour towards the subject. And I hope it is the same in all the like establishments. But how contrary is this to the maxims of some who make the laws insignificant trifles, and place the will of the executive power above them; declaring that otherwise there can be no such thing as government? By which word they generally seem to understand something beyond such a government as is for the good of the governed society. How contrary is this to such as make written laws only an encroachment upon the absolute power instituted by God; and study to make their power as contemptible as they can, that the necessity of absolute monarchy may the better appear; and boast of their services this way, as if they were of the greatest importance?

If these notions be embraced, what must be thought of St Paul under the Roman state, who thought it his happiness to have rights and privileges settled by written laws? What must we think of the wisest nations in former times, who could devise no greater security against oppression and unhappiness in societies, than laws? And if we come home to ourselves, what must we think of the envied constitution under which we live, and by the virtue and power of laws, all enjoy the chief happiness that human life can wish for? What must we think of that revolution in which high and low so unanimously joined, chiefly to rescue our laws from a dispensing power; and to divest the executive from all pretences to a superiority over the legislature? And what must we think of those magistrates, whom the present age beholds with veneration, and ages to come will remember with eternal honour; who, though commissioned by the supreme executive power, yet acknowledge no rule of their conduct but what is prescribed to them by the legislative; and account it their chiefest glory to be the guardians of the laws, as they are of the liberties of the people?”—*Hoadly’s Sermon on Acts xxii. 25. Measures of Sub-*

mission to the Civil Magistrate considered, pp. 214-220. 8vo. Lond. 1718.

NOTE XVII.

JUSTIFIABLE NON-COMPLIANCE WITH MILITARY LAW.

I refer to the trial of Captain THOMAS AITCHISON and Lieutenant DAWSON, of the Royal Artillery, who were tried by a general court-martial at Malta, in consequence of having requested to be exonerated from firing Patteraro salutes, and tolling a Roman Catholic bell for the church and image-rites of Roman Catholic priests. For this offence they were sentenced to be cashiered ; and the sentence was confirmed at the Horse Guards. The matter was brought before the House of Commons, but a majority of that House gave their sanction to the sentence, as necessary to the preservation of military discipline. It was introduced into the General Assembly of the Church of Scotland by one, who, notwithstanding the dissevering influence of late events, will not be dissatisfied that I still call him my esteemed friend—JOHN CAMPBELL, Esq. of Carbrook ; and made the basis of a motion, “ That the Venerable Assembly ought to address his Majesty, as the father of all his people, praying him to take measures for securing to Protestant officers and soldiers the same protection which is afforded to their fellow-soldiers in communion with the Church of Rome.” This seems moderate enough. But the motion was lost—a majority of “ the Venerable Assembly ” judging it unfit for them to interfere in such a matter. Such a motion would have a better chance of success if made now. How this happens, we do not inquire.—*Trial of Captain Thomas Aitchison*. Lond. 1825.—*Substance of a Speech by John Campbell, Esq. of Carbrook, in the General Assembly*. Edin. 1827.

NOTE XVIII.

A CIVIL ESTABLISHMENT OF RELIGION, A USURPATION OF THE PREROGATIVE OF CHRIST.

MILTON.

“ Christ hath a government of his own, sufficient of itself to all his ends and purposes in governing his church, but much different

from that of the civil magistrate: and the difference principally consists in this very thing, that it governs not by outward force, and that for two reasons:—*First*, Because it deals only with the inward man and his actions, which are all spiritual, and to outward force not liable. *Secondly*, To show us the divine excellence of his spiritual kingdom, able, without worldly force, to subdue all the powers and kingdoms of this world, which are upheld by outward force only.

“ That the inward man is nothing else but the inward part of man, his understanding and his will; and that his actions thence proceeding, yet not simply thence, but from the work of divine grace upon them, are the whole matter of religion under the gospel, will appear plainly by considering what that religion is,—whence we shall perceive, yet more plainly, that it cannot be forced. What evangelical religion is, is told in two words—faith and charity, or belief and practice. That both these flow, either, the one from the understanding, the other from the will, or both jointly from both, once indeed naturally free, but now only as they are regenerate, and wrought on by divine grace, is in part evident to common sense and principles unquestioned, the rest by Scripture. Concerning our belief, Matt. xvi. 17, ‘Flesh and blood hath not revealed it unto thee, but my Father which is in heaven.’ Concerning our practice, as it is religious, and not merely civil, Gal. v. 22, 23, and other places, declare it to be ‘the fruit of the Spirit’ only. Nay, our whole practical duty in religion is contained in charity, or the love of God and our neighbour, no way to be forced, yet the fulfilling of the whole law; that is to say, our whole practice in religion. If, then, both our belief and practice, which comprehend our whole religion, flow from faculties of the inward man, free and unconstrained of themselves by nature, and our practice not only from faculties endued with freedom, but from love and charity besides, incapable of force, and all these things by transgression lost, but renewed and regenerated in us by the power and gift of God alone: how can such religion as this admit of force from man, or force be any way applied to such religion, especially under the free offer of grace in the gospel, but it must forthwith frustrate, and make of no effect, both the religion and the gospel? And that to compel outward profession, which they will say, perhaps, ought to be compelled, though inward religion cannot, is to compel hypocrisy, not to advance religion, shall yet, though of itself clear enough, be ere the conclusion further manifest.

“ The other reason why Christ rejects outward force in the government of his church, is, as I said before, to show us the divine ex-

cellence of his spiritual kingdom, able, without worldly force, to subdue all the powers and kingdoms of this world, which are upheld by outward force only, by which to uphold religion, otherwise than to defend the religious from outward violence, is no service to Christ or his kingdom, but rather a disparagement, and degrades it from a divine and spiritual kingdom to a kingdom of this world, which he denies it to be, because it needs not force to confirm it, John xvii. 36. ‘If my kingdom were of this world, then would my servants fight, that I should not be delivered to the Jews.’ This proves the kingdom of Christ not governed by outward force, as being none of this world, whose kingdoms are maintained all by force only; and yet disproves not that a Christian commonwealth may defend itself against outward force, in the cause of religion as well as in any other, though Christ himself coming purposely to die for us would not be so defended; 1 Cor. i. 27. ‘God hath chosen the weak things of the world to confound the things which are mighty.’ Then, surely, he hath not chosen the force of this world to subdue conscience and conscientious men, who, in this world, are counted weakest: but rather conscience as being weakest, to subdue and regulate force, his adversary, not his aid or instrument, in governing the church: 2 Cor. x. 3-6. ‘For though we walk in the flesh, we do not war after the flesh: for the weapons of our warfare are not carnal, but mighty, through God, to the pulling down of strong-holds, and casting down imaginations, and every high thing that exalts itself against the knowledge of God, and bringing into captivity every thought to the obedience of Christ; and having in a readiness to avenge all disobedience.’ It is evident by the first and second verses of this chapter—and the apostle here speaks of that spiritual power by which Christ governs his church—how all-sufficient it is, how powerful to reach the conscience and the inward man, with whom it chiefly deals, and whom no power else can deal with. In comparison of which, as it is here thus magnificently described, how ineffectual and weak is outward force, with all her boisterous tools, to the shame of those Christians, and especially those Churchmen, who, to the exercising of church discipline, never cease calling on the civil magistrate to interpose his fleshly force.”—*Milton’s Works*, vol. i. pp. 552, 553.

BRADBURY.

These stately elaborate periods contrast somewhat oddly, but not unpleasantly, with the short, pointed, and almost epigrammatic sentences of THOMAS BRADBURY, a zealous non-conformist, and consistent

Whig in the palmy days of High Churchism and Jacobitism. "Christ has not subjected his empire to any authority but his own. It is a scandal and a blemish to talk of a gospel church, as by law established. 'Call no man master on earth,' said he to his disciples: nay, 'be not ye called masters, for one is your master, even Christ.' Christianity should neither invade earthly powers and governments, nor suffer itself to be overruled by them. Kings and princes are called to let the work of God alone, and be far from thence. Their statutes and edicts about religion do but mix iron with miry clay. Christianity gives no laws to governments, and was designed to take none from them. Our Lord leaves 'to Cæsar the things that are Cæsar's,' and he has made a claim for God of 'the things that are God's.' He will not have his doctrines taught, or his worship guided by the commandments of men. As he does not interfere with Cæsar, Cæsar must not with him. * * * * * Those kings do not reign for him but against him, who presume to meddle with the ordinances which he has left. These are his glory, the monuments of his empire among men, and a pledge of his returning 'a second time without sin unto salvation.' He gave them after 'he had ascended on high, and had received all power in heaven and on earth.' He delivered them by the Holy Ghost to the apostles whom he had chosen; and to suppose that these are imperfect, that they want mending by the learning of priests, and want helping by the power of kings, is the worst way of denying his divinity. Never say that he is a God in heaven, whose religion must be in danger without the assistance of those that are called gods upon earth. But when men have reproached the *wisdom* of the Saviour, by improving upon his appointments, they can have no confidence in his *power* to defend them. What is his own he will take care of, and has done so in all ages, through penal laws and fiery trials; but what is the device of priests, they are to make the best shift for, they can."—*Bradbury's Fifty-Four Sermons*, vol. iii. pp. 125, 126; vol. ii. p. 213. Lond. 1762.

JOHN WALKER.

The following interesting passage is extracted from the writings of JOHN WALKER, late fellow of Trinity College, Dublin—a man who deserves to be held in reputation, notwithstanding those infirmities of temper which produced to himself much inconvenience, and to the great cause some damage,—for the noble sacrifices he made of interest to conscience, in giving up his fellowship in the College, and his hope of preferment in the Established Church,—and for the many

luminous and impressive representations of the grand peculiarities of the method of salvation that are to be found in his works, especially in his Address to the Methodists, and his Letters to Alexander Knox, Esq. :—

“ It is contrary to the nature and laws of Christ’s kingdom, that his disciples should acknowledge the *State religion* as theirs, or hold any connexion with the religious Establishment of the country. If, as in this highly favoured land, they are allowed the undisturbed practice of *their* religion, according to the laws of Christ, abundant thankfulness becomes them. If they should not—*patient suffering*. But according to his laws *alone*, whose kingdom is not of this world, are they called to regulate their religious walk, and to stand unconnected with any religious bodies, under whatever name, who walk not by that rule, but by regulations that rest on the wisdom or authority of men. If this were the duty of Christians in the days of the apostles, it is their duty now. I know that many professors think it a wild idea, that Christians should now walk as they did then; and certainly it cannot be expected of persons who have believed something under the name of a gospel, different from that which the apostles preached. But why those who believe the apostolic gospel should not still walk according to the apostolic rule, these professors will find it hard to assign any reason, unless their *indisposition* to such a walk be reckoned one.

“ Now, let us suppose that an imperial edict had been sent to ‘ the saints in Christ Jesus who were at Philippi, with the bishops and deacons’ (the overseers and servants) of that Christian church. Let us suppose this imperial edict announcing to them that the Roman emperor and the great officers of his court had become *Christians*, and that, in his zeal for the gospel, he was resolved to take the religion of Christ under his *patronage*; and that he would give a political sanction to the Christians at Philippi, and would recognize some of them as public teachers of Christianity, under the warrant of the *State*,—provided they would adopt a certain mode of regulations in their religious exercises and conduct, which he annexed to the edict. Upon such a supposition, let me ask what would have been the answer of the church at Philippi? Christian reader! Are you at any loss to conjecture? What ought it to have been but this: We have received from the apostles of the Lord Jesus, *how we ought to walk and to please God*. We are bound by our allegiance to our Divine Master, to *hold fast* the precepts which have been delivered to us by his inspired servants. We are taught by them, indeed, to *submit our-*

selves to every ordinance of man, for the Lord's sake; but, at the same time, to know that the ordinance of human rulers extends only to matters of this world,—that Christ's kingdom is not of this world, and that by his laws alone we are to be regulated in our Christian walk. If the Emperor and the officers of his court have been given to believe his gospel, we rejoice in the grace that has been imparted to them, although not more than we would rejoice if we heard the same thing of his meanest subjects—inasmuch as the glory of Christ's church consists not in the human greatness of those who are added to it. We desire that he and his believing courtiers may walk according to the same apostolic rule by which we desire to abide; and in the place of which, or in addition to which, we dare not to receive any other rule. We hear without any emotion, but that of surprise, that the Emperor is resolved to patronize the religion of Christ in his imperial capacity. Witnesses of Christ, we think it needful to remind him as a professing brother, that all the wealth of his treasury, or the power of his kingdom, cannot make one Christian, no more than, employed in opposition to our Lord, they could defeat his counsels or overturn his government.

“That such as this would have been, or that such as this ought to have been, the reply of the Philippian church to such a proposal as I have supposed, I am in my judgment and conscience persuaded: and I believe others will feel the same persuasion, just in proportion to the clearness with which they discern what kind of body an apostolic church was.

“Again, let us suppose that there had been no such thing as a politico-religious Establishment to the present day: and that, amidst ever so great corruptions of faith and practice in other professors of Christianity, there were in this country some churches of Christ, in which the purity of the apostolic faith was preserved, and who continued to walk according to the simplicity of the apostolic rule—‘followers of the churches of God which in Judea were in Christ Jesus;’ 1 Thess. ii. 14. Let us suppose that a similar proposal were now made *for the first time*, by the government of this country, to such churches: and let those who are spiritual say, would they, ought they to accede to it? Ought they either to give up their existing order, for the purpose of coalescing with the religion of the state; or attempt (as I vainly did for some time) to combine the observance of their existing order with a conformity to the code of human regulations, which we suppose offered to their acceptance? would they not say, if they replied aright, ‘We are walking according to the best

of our judgment by the rules which the apostles delivered to the first churches of Christ, and which stand on record in their writings: we shall be thankful to you or any who may help us into a clearer insight into those rules: but we dare not renounce submission to their authority, or countenance the idea of their insufficiency, by adopting regulations which are not even professedly derived from that source?"

"Other professors, we may suppose, would readily accede to the proposals of our government. But who? Those who had never imbibed the apostolic spirit, or walked by the apostolic precepts; or else had awfully departed from both. And if there must have been such a departure in the professors of Christianity, before any of them could have become connected with a religious Establishment, does it not clearly follow that the few who now believe the gospel which the apostles preached, and desire to come back to the rule by which they directed the first churches to walk, are called at once to withdraw themselves from all such connexion?"

"I am aware that the whole of this argument must appear very uninteresting and foolish, to the great mass of professors in Christendom. They think that matters go on very well, under that easy profession of worldly religion, which goes by the name of Christianity; and which they find not only consistent with their worldly interests, but in many instances subservient to them. They will think the argument abundantly answered, by observing, 'We are very well; what occasion for any change from the course in which the *Christian world* has been walking for ages?' And to such persons, I repeat it, my argument is not addressed. It is little matter whether *they* be connected with the religious Establishment or not. They are carnal *Churchmen*; and, in their present state, they would be just as carnal *Dissenters*. To many of them also no force of argument upon the subject could carry conviction, because they are *determined* not to be convinced. Conviction would call them to sacrifice either worldly interests, or fleshly lusts; the one promoted by the connexion with that against which I argue; the other attacked by those laws of Christ's kingdom, which I mentioned as the only rule of his followers. With the children of the world, conviction would be as hopeless in this matter, as it would be unprofitable. It is only to the disciples of Christ, that I desire to address myself on the subject. And in proportion as their attention is directed to it, and in proportion as they walk in the spirit of disciples, I do expect that they will discern the

force of the argument.”—*Walker's Reasons for leaving the Establishment*.—*Edin. Evan. Mag.* vol. iii. p. 250, &c.

WARBURTON.

The *working* of a civil Establishment is just what might be expected from its *nature*. The following graphic sketches are from the powerful hand of WARBURTON. I have no doubt of the likeness then—the reader will judge of the likeness now:—

“The Church, like the ark of Noah, is worth saving; not for the sake of the unclean beasts and vermin that almost filled it, and probably made most noise and clamour in it, but for the little corner of rationality, that was as much distressed by the stink within, as by the tempest without.

“Our *Grandeess* have at last found their way back into the church. I only wonder they have been so long about it. But be assured that nothing but a new religious revolution, to sweep away the fragments that Harry the Eighth left, after banqueting his courtiers, will drive them out again. The Church has been of old the cradle and the throne of the younger nobility. And this nursing mother will, I hope, once more vie with old imperious Berecynthia—

‘*Læta Deum partu, centum complexa Nepotes,
Omnes Cœlicolas, omnes supera alta tenentes.*’

“You mention Noah’s ark. I have really forgot what I said of it. But I suppose I compared the Church to it, as many a grave divine has done before me.—The Rabbins make the giant Gog or Magog contemporary with Noah, and convinced by his preaching. So that he was disposed to take the benefit of the ark. But here lay the distress; it by no means suited his dimensions. Therefore as he could not enter in, he contented himself to ride upon it astride. And though you must suppose that, in that stormy weather, he was more than half-boots over, he kept his seat, and dismounted safely when the ark landed on Mount Ararat. Imagine now to yourself this illustrious cavalier, mounted on his *hackney*: and see if it does not bring before you the Church, bestrid by some lumpish minister of state, who turns and winds it at his pleasure. The only difference is, that Gog believed the preacher of righteousness and religion.”—*Letters from a late eminent Prelate to one of his Friends*, pp. 114, 118, 119. 8vo. Lond. 1809.

NOTE XIX.

ON THE DESIGN OF CIVIL GOVERNMENT.

In addition to the authorities on the design of civil government, mentioned in the text, the reader may not be displeased to see the opinions of such men as DR JOHN OWEN, WHISTON, BISHOP WARBURTON, ADAM SMITH, ARCHBISHOP WHATELY, and COVENTRY DICK,—men very unlike each other in almost every trait of intellectual and spiritual character, but all belonging to a high order of minds.

OWEN.

“ I doubt not but that the magistrate hath all that power, which is absolutely necessary for the preservation of public peace and tranquillity in the world. But if men may be allowed to fancy what they please to be necessary unto that end, and thence to make their own measures to that power, which is to be ascribed unto him, no man knows what bounds will be fixed unto that ocean wherein the Leviathans, they have framed in their imagination, may sport themselves. Some will perhaps think it necessary for this purpose, that the magistrate shall have power to declare and determine whether there be a God or no : whether, if there be, it be necessary he be worshipped or no : whether any religion be useful in, or to the world : and if there be, then to determine what all subjects shall believe and practise, from first to last, in the whole of it. Others may confine it to lesser things, according as their own interest doth call upon them so to do, though they are not able to assign a clear distinction between what is subjected unto him, and what may plead an exemption from his authority.

“ He, indeed, who is the fountain and original of all power, hath both assigned its proper end, and fully suited it to the attainment thereof. And if the noise of men’s lusts, passions, and interests, were but a little silenced, we should quickly hear the consenting voice of humane nature itself, declaring the just proportion that is between the grant of power and its end, and undeniably expressing it, in all the instances of it. For as the principle of rule and subjection is natural to us, con-created with us, and indispensably necessary to humane society, in all the distinctions it is capable of, and relations, whence those distinctions rise ; so Nature itself, duly attended unto, will not fail by the reason of things to direct us unto all that is essential unto it, and

necessary unto its end. Arbitrary fictions of ends of government, and what is necessary thereunto, influenced by present interest, and arising from circumstances confined to one place, time, or nation, are not to be imposed upon the nature of government itself, which hath nothing belonging unto it, but inseparably accompanieth mankind as sociable."—*Truth and Innocence Vindicated, &c. Owen's Answer to Parker*, pp. 92, 93. Lond. 1699.

WHISTON.

"As the civil government is intended for the public peace and welfare of all communities, and of all men in general; and must therefore extend itself over those communities and over all men; so does the New Testament suppose that 'every soul,' man and woman, great and small, believer and unbeliever, clergy and laity, is to be subject to 'the higher powers,' or to their civil governors, without any exception. But then as to the ecclesiastical authority ordained by Christ for the salvation of men in his church, it is most obvious that it can belong to none, but to those that believe in Christ; that own his authority, and are become members of his church: which can alone be done by persons voluntarily entering themselves into it." —"Hence national churches, established by bare human laws, and reaching all the subjects of the civil government, are no proper institution of Christ; nor can be otherwise considered than as civil or secular institutions; they having no farther relation to Christianity, than as any of these ecclesiastical laws or rules happen to agree with those Christ originally appointed for his church. Nor does there seem to be any other obligation arising from those laws upon the consciences of Christians, even where they do not interfere with the laws of Christ, than what a regard to public peace in the church or state may require from them. I mean this, because Christ never gave such secular governors any proper authority in the affairs of his church; nor does the mixture of ecclesiastical persons with the secular, in making such ecclesiastical laws, at all induce such an obligation; for those very ecclesiastical governors have no authority themselves to make such laws; that any mixture itself is not only unsupported, but forbidden by the genuine laws of Christianity; and that legislative capacity, by which such ecclesiastical persons act in their consent to these laws, is known not to be that of Christian clergymen, but of temporal lords only."—*Whiston's Scripture Politicks*, pp. 110–112. Lond. 1717.

WARBURTON.

“ Civil society was instituted either with the purpose, of attaining all the good of every kind, it was even accidentally capable of producing, or only some certain good which the institution had in view, unconnected with, and unattentive to any other. To suppose its end the vague purpose of acquiring all possible accidental good, is in politics a mere solecism, as hath been sufficiently shown by the writers on this question. And how untrue it is in fact, may be gathered from what we have said above of the origin of society.

“ Civil government then, I suppose, will be allowed to have been invented for the attainment of some certain end or ends, exclusive of others; and this implies the necessity of distinguishing this end from others, which distinction arises from the different properties of the things pretending. But, again, amongst all these things which are apt to intrude, or have in fact been obtruded, upon men, as the ends of civil government, there is but one difference in their properties, as ends, which is this,—that one of these is attainable by civil society only, and all the rest are easily attained without it.

“ The thing, then, with the first mentioned property, must needs be that genuine end of civil society, and this is no other than security to the temporal liberty and property of man. For this end, as we have shown, civil society was invented; and this, civil society alone is able to procure.

“ The great, but spurious rival of this end, the salvation of souls, or the security of man’s future happiness, belongs, therefore, to the other division. For this not depending on outward accidents, or on the will or power of another, as the body and goods do, may be as well attained in a state of nature as in civil society; and, therefore, on the principles here delivered, cannot be one of the causes of the institution of civil government, nor consequently one of the ends thereof. But if so, the promotion of it comes not within the peculiar province of the magistrate. For he who has nothing to do with the end, can have no concern with the means.”—*Warburton’s Alliance between Church and State*, pp. 32–34. Lond. 1748.

ADAM SMITH.

“ Articles of faith, as well as all other spiritual matters, it is evident enough are not within the proper department of a temporal sovereign.”—*The Wealth of Nations*, Book V. Chap. I. vol. iii. p. 209. 3vo. Lond. 1793.

actively or passively, according to its nature. If, then, it were a legitimate act to pronounce respecting truth and falsehood, we should be bound to bring our minds into accordance with the judgment of our rulers, and believe that to be truth which they had decreed to be such, conforming our thoughts as rigidly to their intellectual standard, as we do our external conduct to the laws of their police. But this is impossible. No man can by any exertion of his powers adopt a doctrine in theology, or in any other department of intellectual inquiry, simply because the law has assured him that it is true. Such assurance or testimony, with a threat of punishment if we reject it as insufficient, is the only reason for our belief, which rulers have to present. But testimony, except it be divine, being in such matters no ground of persuasion, and penalties rather repelling than inviting it, we are unable to comply even if we would. Thus, in the office of pronouncing upon truth and falsehood, nature herself has denied to governors every requisite for governing, and she has equally disabled every man within their territories, from becoming their subjects. 'Obedience,' says Milton, 'is the true essence of a subject,' and where it is not possible that any man can render it, the relation of subject and master can have no existence.

"Here is an obstacle which, at the very outset, arrests the career of the legislator, and marks the boundary beyond which his authority has no footing. But observing narrowly, we shall perceive farther, that to the religious tenets in which our intellect detects error, conscience inspires us with aversion, and stirs us up to oppose all who spread them abroad. These are involuntary and irrepressible workings of our nature. They are no less reasonable than natural, for truth being one, and all acceptable worship founded on it alone, a regard to the honour of the Deity, and the welfare of man, demands of us uncompromising hostility to error."—"When government sanctions a creed disbelieved by any part of its subjects, a breach ensues between them. To the latter it appears no act of piety, it is not even an idle display of power, in which they have no concern. It is an insult to the Deity, offered by their representative in the name of the nation of which they are members. Instantly they are sensible that their rights are infringed, that their ruler is lording it over them in a sphere where they owe him no allegiance, and that he is acting no longer as their guardian, but as their personal enemy, or rather as a rebel to that great Being, who is the Lord of religion, and in whose service they are bound to repudiate all human rule, and to counterwork every adverse institution. These are feelings which it

were vain to deprecate. They spring from laws deeply rooted in our nature, which we can no more disobey than we can change the colour of our skin.

“Nor is this all. Not content with disavowing and opposing the worship which the judgment pronounces false, conscience approves and embraces that on which it perceives the signature of truth. In religion our conclusions do not respect merely abstract truth and error; nor do they terminate in the intellect; they speak of right and wrong, and act upon the will. Here conscience demands that our profession and our practice should faithfully reflect our opinions. It calls upon us to worship God with our bodies, as well as in our minds; to erect an altar, and to perform upon it rites according to the pattern which we believe to be divine. For this duty it arms the weakest and most fearful of mankind with a supernatural courage; which has once and again conquered the most virulent persecutors, simply by presenting to them an interminable line of willing victims, and no prospect of an end to the inhuman labour of torture and death.

“If we have reported correctly what appears on a view of our natural constitution, we have already sufficient materials to decide this controversy. If men are unable to believe at the word of command, if they cannot suppress aversion to religious errors, if they will perish rather than refrain from worshipping as their conscience prompts, what possible right can their fellow-men have to decree for them a creed, and to subject them to institutions, which those who disbelieve it must, if they would be honest and virtuous, be ever plotting to overthrow and to erect others on their ruins? Where is the foundation, in reason or in common sense, for a right in rulers, which to the full extent can never be enforced, and which, so far as it is possible to execute it, results inevitably in an overturn of all order: the state legislating while the subject is refusing to obey; the state erecting establishments while the subject is disowning, reviling, and counterworking them?”—*Dick's Dissertation on Church Polity*, Section I. pp. 8-16.

As an appendix to this long but not tedious note, we add the opinions of the venerable father of the Relief Church, one of the holiest men, and most exemplary ministers of his age, and two of his early and distinguished followers.

GILLESPIE.

“Satan tempts legislators to invade the prerogative of the Lord Jesus, by claiming a power in matters religious, with which he has

not entrusted them, or seeking to make themselves the last resort in all causes of such kind, in direct opposition to the authority of Christ, who alone is Lord of the conscience, has erected his tribunal in it, has declared his kingdom is not of this world, at the same time, that he does not permit the concerns of his kingdom to interfere in any respect or degree with those of the kingdoms of this world, having indispensably bound his people to be subject to the authority and lawful commands of magistrates in all civil matters."—*Gillespie's Treatise on Temptation*, p. 202. 12mo. Edin. 1774.

BAINES.

"Magistracy no doubt is the ordinance of God; and the person clothed with that office is his minister for good: But his jurisdiction and province is wholly distinct from the other—the ecclesiastical), agreeably to which our Saviour tells us that his kingdom is not of this world. The object of civil government is the secular interest alone, the preservation of the original rights of mankind, which makes society prosperous and peaceful. Its power is coercive; it compels to obedience, or rather punishes the disobedient with fines, prison, banishment, and death. To these powers, which are of God, all of whatever denomination are bound to be subject not for wrath, but for conscience' sake. On the other hand, whilst the magistrate preserves religion, the dispensers and votaries of it from abuse and insult, it is not within his sphere to enact articles of faith, to appoint ordinances of worship, to dispense these, or the censures of the church. Far less has he authority by pains and penalties to force a profession of faith from any, or conformity to this or the other mode of worship. Such carnal weapons wound the conscience, by extorting a hypocritical confession, but cannot convince the judgment."—*Bain's Discourses*, Disc. xvii. p. 237. Edin. 1778.

HUTCHISON.

"By being placed at the head of the civil state, to give law to the subjects of the state, the magistrate is not therefore placed at the head of the church to give law to the body of Christ. If ever he assumes this character and power, he transgresses the just limits of his authority, which is *civil* not *religious*; invades the dominions of another prince, and arrogantly claims the power of giving laws to a community that knows and ought to know no king but Jesus. This is a stretch of prerogative, as unreasonable and absurd as it would be for the French king to pretend to give law to British subjects, or for the

king of Britain to assume the power of prescribing laws to the subjects of a foreign prince."—*Hutchison's Dissertation on the Nature and Genius of the Kingdom of Christ*, Part II. Sect. 11. p. 179. Edin. 1779.

NOTE XX.

MR GIB'S COMMENTARY ON THE ASSOCIATE PRESBYTERY'S STATEMENT OF THE NATURE OF CIVIL GOVERNMENT.

"1. The great end of magistracy is the *public* good of society, distinguished from all interfering private interests. The public good of *outward order*, as not versant, like the gospel-ministry, about the disorders of men's hearts; and the public good of *common* order in all *reasonable* society, not only in the general society of the nation, or commonwealth, but also in all the particular societies comprehended within the same, civil or religious,—so far as these do not strike, according to the principles of right reason, against the peace and welfare of the general society, that each may enjoy the benefit of the magistrate's office, for preserving such order as is common to all, according as each partakes of the common nature of society. And this *great* end of the magistrate's office is the *only* end that he *can* propose;—that he can equitably and justly propose, in a *sole* respect unto that office; whatever other good ends he may propose to himself, in respect to any other character which he bears. All which public good is ultimately *unto the glory of God*, as the universal Sovereign of the world, an acknowledgment of whose being and government lies at the root of all confidence and duty in human society; while this acknowledgment is also made, at least materially, in all that maintenance of good order.

"2. Those invested with magistracy, are to prosecute the above-mentioned end of their office, according to the nature of it, *civilly*, in such ways as agree to the nature of civil society, without subordinating any religious institutions or ordinances to that end; in doing which, it is *only* over men's good and evil works (comprehending works of the tongue as well as hand), that they can have any inspection, without pretending to any control of men's judgments, hearts, or thoughts. And this inspection is *only* over these good and evil *works* of men, which they must take cognizance of, for the *said* public good; so that they are not to interfere with any of men's

works in which the public good of society is not properly concerned. At the same time, their jurisdiction about men's works must be in such a manner, and proceed *so far only*, as is requisite for the said public good, only in a civil manner as above expressed, and without proceeding so far as to serve the purposes of resentment or private interests, beside or beyond the public good. Thus, the magistrate must not assume any lordship immediately over men's *consciences*, in offering to make himself a judge of men's religious principles; nor must he encroach upon the official *privileges* and *business* of the church, by assuming a cognizance of men's religious conduct or behaviour, farther than the public good of society is concerned, while all other cognizance thereof belongs particularly to the church-state.

"3. It is to be considered that the whole institution of the magistrate's office lies in *natural principles*, being no way founded on the revelation of grace, nor at all peculiar to such as enjoy the benefit of that revelation. And, accordingly, the whole end of his office must be understood as *cut out* by the same natural principles, so that it cannot, in any part or degree, extend beyond the compass thereof. It were therefore *absurd* to suppose, that *any exercise* of that office were competent unto, or incumbent upon the civil magistrate, precisely as such,—other than what can be *argued for* and *defended* from *natural principles*, without having recourse to any principles of revealed religion, for the rule or measure of his magistratical administration."—*Gib's Display*, vol. i. pp. 312, 313.

It will appear from the above that the *germ* of Voluntary principles early appeared in the Secession—what has followed has been merely the somewhat slow but sure development of it. That the process of germination was going forward in the mind of the commentator, is evident from the following extract from a pamphlet, published a few years subsequent to the writing of the above commentary.

"It is granted that in the period referred to (1638–1643), the natural rights of mankind, about matters of conscience and religion, were not properly understood and acknowledged. It is competent for, and incumbent upon the church, to take cognizance of the religious principles and practices of her members; and to proceed against them as erroneous or undutiful in these matters, by the exercise of her discipline. But no religious duties can be warrantably enforced by civil penalties: No man can be justly subjected to any penalties of that sort, for any error of principle or iniquity of practice, in religious matters as such. It is competent for, and incumbent upon the Christian magistrate to countenance true religion, and discountenance

false religion ; to encourage the professors of the one, and discourage the professors of the other ; to do so by all means which may consist with men's natural rights, so as not to touch any one's person or property, life or liberty, on a religious account. But it is grossly inconsistent with the sovereignty of the Lord Christ, the spirituality of religion, and the unalienable rights of conscience, for the civil magistrate to make himself an authoritative judge of true and false religion, of religious principles and professions, for dealing with his people compulsively in such matters ; or that they should be accountable to him in the matters of their faith and worship, as such. A maintaining and promoting the public good of outward and common order, in all reasonable society through his dominions, is the proper work of his office. If men are truly chargeable with principles or practices under the name of religion, which manifestly strike against the welfare of civil society, or are, according to the common principles of reason, subversive of the public peace, the pretence of religion ought not to be any safeguard unto them in such a case ; but it is the magistrate's business to restrain or punish them as troublers of the civil state, or under the character of *bad subjects*, yet still without assuming any cognizance of them as *bad Christians*, or using them with any compulsions in that respect, as it is by a quite other sort of means that men are to be reclaimed from religious errors or enormities.

“ It is too true, however, that considerably different views of this matter were entertained in the said reforming period ; that our reformers had not then got their minds sufficiently extricated from the bondage of those compulsory principles in matters merely of conscience and religion, which had so long domineered in the Popish and Episcopal Churches. A sad evidence of this lies in an act of Assembly 1647, in which the following doctrine is taught : ‘ that the civil magistrate may and ought to suppress, by corporal and civil punishments, such as, by spreading error or heresy, or by fomenting schism, greatly dishonour God, dangerously hurt religion, and disturb the peace of the Kirk.’ Here, indeed, the affair of civil penalties is doctrinally applied to matters of religion as such, yea to matters of revealed religion as such,—whatever might be judged error or heresy or schism, though merely on principles of revelation. And if the magistrate was not to be degraded into a mere blind tool of the church, he was to assume an authoritative judgment in these matters ! and whatever he should judge to be error or heresy or schism, he was to suppress by corporal and civil punishments. And whether

his judgment be right or wrong in this case, the consequence must be all the same : Because what really is error or heresy or schism, and what he judges to be so, must be all one to him,—he must proceed alike upon what is so, and whatever he takes to be so as according to the proverb, ‘ what is sauce for a goose will be sauce for a gander.’ The persecuting and bloody tendency of this scheme, in itself considered, may be obvious enough without further enlargement. But it is to be remarked with great thankfulness, that the Lord did not suffer it to take effect, so as the Presbyterian church should have come to be stained with blood.

“ Principles and propositions of this sort, in which the minds of men through some train of confused speculations may be entangled—will not always be a sufficient ground for charging them with a persecuting or bloody disposition. We need go no farther for an evidence of this than a late publication from London, upon a most commendable design, entitled, ‘ An Appeal from the Protestant Association to the People of Great Britain, concerning the probable tendency of the late Act of Parliament in favour of the Papists.’ It may well be presumed, that the gentlemen of this Association are as little chargeable with such a disposition as any other persons in our island. Yet they have rashly injured the good cause which they plead, by the following passages in their definitions of persecution and toleration. ‘ Persecution consists in hurting a man in any of his natural or civil rights, on account of the principles he holds or the worship he performs ; when these principles and that worship have nothing in them incompatible with the Scriptures : Toleration consists in allowing every man to profess his own faith, if not evidently repugnant to the Holy Scriptures.’ Now, it was very right to define toleration as consisting in a practical allowing, a not molesting, instead of consisting in an act giving positive countenance and encouragement. But with regard to a man’s religious principles and worship, or the faith which he professes, who are in this case to be the judges, as to whether or not these have in them any thing ‘ incompatible with’ or ‘ evidently’ repugnant to the Holy Scriptures ? Certainly the civil powers to whom persecuting and tolerating belong. Yet if they be allowed to assume such a judgment, they may persecute as much as ever papist did, and yet never be chargeable according to the above definitions, with any persecution at all ; having no more ado for this but first to judge against the person in the things mentioned, and his plea for toleration will be good for nothing. The mistake lies in allowing the civil judgment concerning such persons to turn upon

any other question, than that of their being good or bad subjects and members of the civil state ; troublers or not of the common peace."—*Account of the Burgher Re-exhibition of the Testimony*, pp. 33–36. Edin. 1780.

NOTE XXI.

COMMANDS OF THE MAGISTRATE BEYOND THE LIMITS OF HIS OFFICE NOT OBLIGATORY.

BAXTER.

“ If a lawful king be limited, if he command the subject beyond his limits, in matters exempted from his power, or else in matters that the nature of his office extendeth not unto, that command is not an act of power, and therefore it is not a resistance of power to disobey it. The resistance of a person in power, in a point wherein he hath no power, is not to resist power (*i. e. jus regendi*), but the will of a private man : for he is a private man in all things exempted from his power. 1. A schoolmaster has nothing to do to command his scholars in matters about their trades and callings in the world, but only in matters of learning and manners, because it belongeth not to his office. A captain hath no power as such about men’s estates, but only about the manners and military actions of his soldiers, in order to his military ends. If a judge of one court step into another without commission *in alieno foro*, his sentence is null, and no man bound to obey it. So if the minister presume to command in things belonging to the magistrate, and not to him, his act is private, vain, and null. So if a sovereign will turn physician, and command all men to take this or that physic only, not in order to public good but private health, or if he will turn pastor, and do things proper to the pastor of the church, his acts are private and null, as being without the verge of his vocation. 2. And where his covenants with his people limit him, he hath no power in the excepted points, *e. g.* if he be restrained from raising taxes without the people’s consent, if he yet command the payment of taxes, he doth it not by authority ; for neither God nor man did ever give him authority thereto. If the constitution restrain him from raising war without the consent of the senate, and yet he undertake to do it, it is not an act of authority, for he never had authority thereto.”—*Baxter’s Holy Commonwealth*, pp. 375, 376.

NOTE XXII.

INCONGRUITY OF CIVIL LEGISLATION IN OR ABOUT RELIGION.

SIR HENRY VANE.

SIR HENRY VANE, to whom, according to a very competent judge, belongs the honour of being "the first who laid down with perfect precision, the inviolable rights of conscience, and the exemption of religion from all civil authority,"* in his "Healing question propounded and resolved," after having stated that the great design of "the honest party" was "to restore to the whole body their just natural rights in civil things, and true freedom in matters of conscience," and shortly illustrated the first of these objects, proceeds to make the following striking observations on the second of them :—

"The second branch which remains briefly to be handled, is that which also upon the grounds of naturall right is to be laid claime unto ; but distinguishes itself from the former, as it respects a more heavenly and excellent object, wherein the freedom is to be exercised and enjoyed, that is to say, matters of religion, or that concern the service and worship of God.

"Unto this freedom the nations of the world have right and title, by the purchase of Christ's blood, who, by virtue of his death and resurrection, is become the sole Lord and Ruler in and over the conscience ; for to this end Christ died, rose, and revived, that he might be Lord both of the dead and of the living, and that every one might give an account of himself, in all matters of God's worship, unto God and Christ alone, as their own Master, unto whom they stand or fall in judgment, and are not in these things to be oppressed, or brought before the judgment-seat of men. For why shouldest thou set at nought thy brother in matters of his faith and conscience, and herein intrude into the proper office of Christ, since we are all to stand at the judgment seat of Christ, whether governours or governed, and by his decision only are capable of being declared with certainty, to be in the right or in the wrong ?

"By vertue, then, of this supream law, sealed and confirmed in the blood of Christ unto all men (whose souls he challenges a propriety in, to bring under his inward rule in the service and worship of God), it is that all magistrates are to fear and forbear intermeddling

* Sir James Mackintosh's View of the Reign of James II. p. 166.

with giving rule or imposing in those matters. They are to content themselves with what is plain in their commission, as ordained of God to be his ministers unto men for good, whilst they approve themselves the doers of that which is good in the sight of men, and whereof earthly and worldly judicatures are capable to make a clear and perfect judgment: in which case the magistrate is to be for praise and protection to them. In like manner he is to be a minister of terrour and revenge to those that doe evil in matters of outward practice, converse, and dealings in the things of this life between man and man, for the cause whereof, the judicatures of men are appointed and set up. But to exceed these limits, as it is not safe nor warrantable for the magistrate (in that he who is higher than the highest regards, and will show himself displeased at it), so neither is it good for the people, who hereby are nourished up in a biting, devouring, wrathful spirit one against another, and are found transgressors of that royal law which forbids us to doe that unto another, which we would not have them doe unto us were we in their condition.

“ This freedome, then, is of high concern to be had and enjoyed, as well for the magistrate's sake, as for the people's common good; and it consists, as hath been said, in the magistrate's forbearing to put forth the power of rule and coercion in things that God hath exempted out of his commission. So that all care requisite for the people's obtaining this, may be exercised with great ease, if it be taken in its proper season; and that this restraint be laid upon the supreme power before it be erected, as a fundamental constitution among others, upon which the free consent of the people is given, to have the persons brought into the exercise of supreme authority over them, and on their behalf; and if besides, as a further confirmation hereunto, it be acknowledged the voluntary act of the ruling power, when once brought into a capacity of acting legislatively, that herein they are bound up, and judge it their duty so to be (both in reference to God, the institutor of magistracy, and in reference to the whole body by whom they are entrusted), this great blessing will hereby be so well provided for, that we shall have no cause to fear, as it may be ordered.

“ By this means a great part of the outward exercise of antichristian tyranny and bondage will be plucked up by the very roots, which, till some such course be held in it, will be alwayes apt to renew and sprout out afresh, under some new forme or refined appearances, as by late years' experience we have been taught. For, since the fall of the bishops and persecuting presbyteries, the same spirit is

apt to arise in the next sort of clergy that can get the ear of the magistrate, and pretend to the keeping and ruling the conscience of the governours. Although this spirit and practice hath been all along decried by the faithful adherents to this cause, as a most sore oppression, and insufferable yoke of bondage, most unrighteously kept up over the consciences of the people, and therefore judged by them most needful to be taken out of the way."—*A Healing Question propounded and resolved, upon occasion of the late public and seasonable call to Humiliation, in order to love and union amongst the honest party, and with desire to apply balsam to the wound before it becomes incurable.* By Henry Vane, Knight. Pp. 5-8. 4to. Lond. 1656.

MARCHAMONT NEDHAM.

The following remarks of NEDHAM contain much important truth on the subject of this note:—

“ The first error that we shall observe in antient Christian policy, and which indeed hath been a main foundation of tyranny, is that corrupt division of a state into ecclesiastical and civil ; a fault whereof our latest refiners of political discourse are as guilty in their writings as any others ; but that there is the least footstep, in the Scripture, for Christians to follow such a division of state, or to allow of a national way of churching, which is the root of that division, could never yet be proved by any ; and the contrary is very clear from the drift and scope of the gospel. We read, indeed, of the commonwealth of Israel being thus divided, and that it was done according to rules and constitutions of God’s own appointment ; it being God’s way then, when he was pleased to make choice of that people only, out of all the world, to be his own peculiar, and so fixed his Church there in a national form : Then it was confined and restrained to that particular nation, excluding all others. But if any man will argue from hence, that it is lawful for any nation now under the gospel to follow this pattern ; then it behoves him, 1st, To prove, that God intended the Jewish government as a pattern for us to follow under the Gospel. And if any man will pretend to this, then, in the second place, it will concern him to prove, that we are to follow it in every particular, or only in some particulars. That we are to follow it in every one, no sober man did yet affirm : and if they will have us to follow it in some particulars, relinquishing the rest, then it concerns him to produce some rule or command out of Scripture plainly pointing out what parts of it we are to embrace, and what not ; or else he will never be able to make it appear, that the form of the common-

wealth of Israel was ever intended, either in the whole, or in part, as a pattern for Christians to follow under the Gospel. But never was any such rule alleged yet out of Scripture by those that pretend to a national Church.

“ And therefore, if we seriously reflect upon the design of God, in sending Christ into the world, we shall find it was to put an end to that pompous administration of the Jewish form ; that as his church and people were formerly confined within the narrow pale of a particular nation, so now the pale should be broken down, and all nations taken into the church : not all nations in a lump ; nor any whole nations, or national bodies to be formed into churches ; for his church or people, now under the Gospel, are not to be a body political, but spiritual and mystical : Not a promiscuous confusion of persons, taken in at adventure ; but an orderly collection, a picking and chusing of such as are called and sanctified ; and not a company of men forced in, by commands and constitutions of worldly powers and prudence ; but of such as are brought in by the power and efficacy of Christ’s word and Spirit ; for he himself hath said, ‘ My kingdom is not of this world ; it is not from hence,’ &c. and therefore, that hand which hitherto hath presumed, in most nations, to erect a power, called ecclesiastic, in equipage with the civil, to bear sway, and bind men’s consciences to retain notions, ordained for orthodox, upon civil penalties, under colour of prudence, good order, discipline, preventing of heresy, advancing of Christ’s kingdom ; and to this end, hath twisted the spiritual power (as they call it) with the worldly and secular interest of state ; this (I say) hath been the very right hand of Antichrist opposing Christ, in his way : whose kingdom, government, governors, officers, and rulers, laws, ordinances, and statutes, being not of this world (I mean, *jure humano*), depend not upon the helps and devices of worldly wisdom.

“ Upon this score and pretence, the infant mystery of iniquity began to work in the very cradle of Christianity.

“ Afterwards it grew up by the indulgence of Constantine, and other Christian emperors, whom though God used in many good things for the suppression of gross heathen idolatry, yet (by God’s permission) they were carried away, and their eyes so far dazzled, through the glorious pretences of the prelates and bishops, that they could not see the old serpent in a new form wrapt up in a mystery ; for Satan had a new game to play, which he managed thus : First, he led a great part of the world away with dangerous errors, thereby to find an occasion for the prelates, to carry on the mystery of their

profession; and so, under pretence of suppressing those dangerous errors, they easily screwed themselves into the civil power: and for continuing of it the surer in their own hands, they made bold to baptize whole nations with the name of Christian, that they might (under the same pretence) gain a share of power and authority with the magistrate in every nation; which they soon effected.

“The infant being thus nursed, grew up in a short time to a perfect man, THE MAN OF SIN (if the Pope be the man, which is yet controverted by some): for, the prelates having gotten the power in their hands, began then to quarrel, who should be the greatest among them. At length he of Rome bore away the bell; and so the next step was, that, from national churches, they proceed to have a mother-church of all nations. A fair progress and pitch, indeed, from a small beginning: And now being up, they defied all with bell, book, and candle, excommunicating and deposing kings and emperors, and binding men’s consciences (still under the first specious pretence of suppressing heresy), to believe only in their arbitrary dictates, traditions, and errors, which are the greatest blasphemies, errors, and heresies, that ever were in the world. Now they were up, see what ado there was to get any part of them down again. What a quarrel and commotion there was in Germany, when Luther first brake the ice! and the like here in England, when our first reformers began their work! These men, in part, did well, but having banished the Pope’s actual tyranny, they left the seed and principle of it still behind, which was, a state ecclesiastical united with the civil; for the bishops twisted their own interest again with that of the crown, upon a Protestant account; and by virtue of that, persecuted those they called Puritans, for not being as orthodox (they said) as themselves.

“To conclude, if it be considered, that most of the civil wars and broils, throughout Europe, have been occasioned, by permitting the settlement of clergy interest, with the secular, in national forms and churches, it will doubtless be understood, that a division of a state into ecclesiastical and civil, must needs be one of their main errors in Christian policy.”—*The Excellencie of a Free State; or, the Right Constitution of a Commonwealth, wherein all objections are answered, and the best way to secure the people’s liberties discovered, with some errors of government and rules of policie. Published by a Well-wisher to Posteritie.* London, 1656.—This admirable tract was republished at the expence of Hollis, in 1768. Copies of either edition are now rare.

LOCKE.

“ It is the duty of the civil magistrate, by the impartial execution of equal laws, to secure unto all the people in general, and to every one of his subjects in particular, the just possession of those things belonging to this life. If any one presume to violate the laws of publick justice and equity, established for the preservation of those things, his presumption is to be checked by the fear of punishment, consisting of the deprivation or diminution, of those civil interests, or goods, which otherwise he might and ought to enjoy. But seeing no man does willingly suffer himself to be punished by the deprivation of any part of his goods, and much less of his liberty or life, therefore is the magistrate armed with the force and strength of all his subjects, in order to the punishment of those that violate any other man’s rights.

“ Now, that the whole jurisdiction of the magistrate reaches only to those civil concernments; and that all civil power, right, and dominion, is bounded and confined to the only care of promoting these things; and that it neither can, nor ought, in any manner, to be extended to the salvation of souls, these following considerations seem unto me abundantly to demonstrate.

“ First, Because the care of souls is not committed to the civil magistrate, any more than to other men. It is not committed unto him, I say, by God; because it appears not, that God has ever given any such authority to one man over another, as to compel any one to his religion. Nor can any such power be vested in the magistrate, by the consent of the people; because no man can so far abandon the care of his own salvation, as blindly to leave it to the choice of any other, whether prince or subject, to prescribe to him what faith or worship he shall embrace. For no man can, if he would, conform his faith to the dictates of another.

“ All the life and power of true religion consist in the inward and full persuasion of the mind; and faith is not faith without believing. Whatever profession we make, to whatever worship we conform, if we are not fully satisfied in our own mind that the one is true, and the other well-pleasing unto God, such profession and such practice, far from being any furtherance, are indeed great obstacles to our salvation. For in this manner, instead of expiating other sins, by the exercise of religion, I say, in offering thus unto God Almighty such a worship, as we esteem to be displeasing unto him, we add unto the number of our other sins, those also of hypocrisy, and contempt of his Divine Majesty.

“ In the second place, The care of souls cannot belong to the civil magistrate, because his power consists only in outward force ; but true and saving religion consists in the inward persuasion of the mind, without which nothing can be acceptable to God. And such is the nature of the understanding, that it cannot be compelled to the belief of any thing by outward force. Confiscation of estate, imprisonment, torments, nothing of that nature can have any such efficacy as to make men change the inward judgment, that they have framed of things.

“ It may indeed be alleged, that the magistrate may make use of arguments, and thereby draw the heterodox into the way of truth, and procure their salvation. I grant it ; but this is common to him with other men. In teaching, instructing, and redressing the erroneous by reason, he may certainly do what becomes any good man to do. Magistracy does not oblige him to put off, either humanity or Christianity. But it is one thing to persuade, and another to command ; one thing to press with arguments, another with penalties. This the civil power alone has a right to do ; to the other, good-will is authority enough. Every man has a commission to admonish, exhort, convince another of error, and by reasoning to draw him into truth ; but to give laws, receive obedience, and compel with the sword, belongs to none but the magistrate. And upon this ground I affirm, that the magistrate’s power extends not to the establishing of any articles of faith, or forms of worship, by the force of his laws. For laws are of no force at all without penalties, and penalties in this case are absolutely impertinent ; because they are not proper to convince the mind. Neither the profession of any articles of faith, nor the conformity to any outward form of worship (as has been already said), can be available to the salvation of souls, unless the truth of the one, and the acceptableness of the other unto God, be thoroughly believed by those that so profess and practise. But penalties are no-ways capable to produce such a belief. It is only light, and evidence, that can work a change in men’s opinions ; which light can in no manner proceed from corporal sufferings, or any outward penalties.

“ In the third place, The care of the salvation of men’s souls cannot belong to the magistrate ; because, though the rigour of laws, and the force of penalties, were capable to convince and change men’s minds, yet would not that help at all to the salvation of their souls. For there being but one truth, one way to heaven ; what hope is there that more men would be led into it, if they had no rule but the religion of the court, and were put under a necessity to quit the

light of their own reason, and oppose the dictates of their own consciences, and blindly to resign up themselves to the will of their governors, and to the religion, which either ignorance, ambition, or superstition, had chanced to establish in the countries where they were born? In the variety and contradiction of opinions in religion, wherein the princes of the world are as much divided as in their secular interests, the narrow way would be much straitened; one country alone would be in the right, and all the rest of the world put under an obligation of following their princes, in the ways that lead to destruction; and that which heightens the absurdity, and very ill suits the notion of a Deity, men would owe their eternal happiness, or misery, to the places of their nativity.

“These considerations, to omit many others that might have been urged to the same purpose, seem unto me sufficient to conclude, that all the power of civil government relates only to men’s civil interests, is confined to the care of the things of this world, and hath nothing to do with the world to come.”—*Locke’s Letter concerning Toleration, Works*, vol. ii. pp. 244–247.

PROFESSOR BRUCE.

“The undue confounding of matters of civil polity and religion together, and the introducing, by a forced and unnatural coalition, the peculiarities and controversies of religious parties, in the political constitution and laws of kingdoms, though they had no direct or necessary connexion therewith, and the misapplication of compulsive power in reference to them, they consider as one principal source of all these disorders and convulsions, which religion is said to have caused in the world; as that which let in persecution with a full tide, and is the fair but false pretence, by which it ever hath been and still is vindicated. The constitution of that government must be very impolitic and very unhappy, its authority and peace, as well as the liberties of its subjects, exceedingly precarious, wherein innumerable things are thus arbitrarily connected with its existence, its security, or its honour, that have in fact no natural or necessary connexion therewith at all. When this is the case, the proper notions of loyalty and disobedience are also confounded, and affection and disaffection, faction and peace, come to lose their proper distinction. Those who are the most hearty friends to just authority, exercised about its proper objects, and within its due limits, and most dutiful in respect, to government and public order, merely as civil, may in consequence be proscribed, and the laws will become traps to take

and destroy the most innocent or deserving, while every one who takes upon him to legislate, though perhaps ignorant, unjust, superstitious, or cruel, is allowed to have a right to decree them, by no other rule than his own opinion or humour : whereby he may have it in his power to create a thousand factitious crimes, and after he has done so, to annex to them whatever pains, incapacities, and persecution he pleases.

“ If it once be supposed that the joint conduct of the public affairs of a nation, which are of common and indispensable necessity, must be suspended on the unusual and impracticable agreement of mankind in religious opinions or rites, that government, if it be not soon unhinged, must be greatly embarrassed in its movements, weakened in its powers, limited and partial in its favours, and cannot fail to excite constant disquiet and factions, converting, through its own error, subjects heartily disposed to be dutiful, into enemies. It must be often obliged to divert from its proper work, and find itself entangled in multifarious and intricate business, not its own,* and precipitated into acts impertinent or highly mischievous.

“ If a prince should be so unwise as to conjoin the pontifical tiara or an episcopal mitre, with his regal crown, and reckon himself equally obliged to be the defender and avenger of the honour of both, or if a government should adopt the voluminous canon law into its civil code, or make the several articles of a long breviary or liturgy, with all the whims and indescribable ceremonies of a ceremonious church, not so much as excepting the gestures and postures of freakish ecclesiastics, or the very colour and fashion of their garments, so many necessary conditions of the social compact between rulers and subjects, without the exact observance of all and every one of which, the latter shall be liable to be deprived of liberty, property, or life, or at least branded with some mark of distinguishing infamy, who will say that this would be a method dictated by reason or Christianity, either for maintaining uniformity in a church, or to secure peace in the state? It must necessarily tend, on the contrary, to keep both church and state in jeopardy every hour. The monstrous constitution, through such a junction, will be made to feel and suffer in a thousand new different ways. The most trifling and indifferent acts, will hurt it as much as the most capital crimes. Nor do they surely consult either the repose or dignity of kings, who insinuate that this is the true way to preserve them. Nothing is so ready to expose them to

* What a commentary on this sentence do the transactions of the United Parliament of Great Britain and Ireland for the last ten years exhibit.—Ed.

contempt and danger. The head of such a constitution, would require the whole strength of one half of his subjects to defend him against the supposed disaffection or insults of the other. Nay, he will need more guards and armies than his dominions can furnish him with, to maintain the force of his laws, and to secure the fictitious rights of his crown from violation. So many ecclesiastical baubles will be appended to it, and so many fools' feathers stuck into it, that it must flutter and tremble with every gale that blows, and all that behold it must pluck at it, or hold it in derision."—*An Overture of an Act of the General Associate Synod in Scotland, concerning the Sacramental Test, and the duty and interests of Presbyterians in Scotland in reference to its repeal*, pp. 4-6. Edin. 1790.—The above remarks lose none of their justice or force by coming from the pen of one who, sixteen years after, left the communion of the body, of which, by his learning and worth, he was a distinguished ornament, alleging as one of his reasons, that the principle of civil establishments of religion was substantially condemned in one of their judicial deeds. One can scarce help wondering, however, that the style of thought discovered in this admirable passage, did not lead to a somewhat different result. Bishop Warburton has the credit of giving a turn to the Professor's opinions on this subject; whether he is entitled to it we have no means of ascertaining.

BOGUE AND BENNETT.

"The studies and pursuits of the rulers of the nations, have seldom been peculiarly directed to theology, and a critical investigation of the doctrines of religion; and, on this account, they are certainly not likely to be very competent judges in spiritual casuistry. If a man's conscience is not to be in the priest's keeping, it appears still more unsuitable that it should be in the king's keeping. If it be asserted that it is one of the prerogatives of his office, then it must belong to every ruler in every land. The French Emperor (1808), and his legislative body, have a right to guide the consciences of all the inhabitants of France. The same authority appertains to the King of Spain and his courtiers; to the Grand Seigneur and his divan; to the Emperor of China and his mandarins of state. The reader must not be alarmed nor indignant at the comparison; for however much these may differ from each other, they agree in this, that every one of these rulers conceives his religion to be true, and every one has equal authority to enforce or propagate his religion. On this statement it is presumed, that few will be found to maintain the argument.

“ But there is something to be adduced which is still more decisive against the claim, namely the authority of Holy Scripture. Nero reigned at Rome when Paul preached the gospel, and was a prisoner there. But did he give up his religious opinions to Nero’s judgment, or the judgment of the Senate? No, he maintained them in direct opposition to both, and suffered death for disobedience to the emperor’s edicts, and because he would not acknowledge his authority in matters of religion. Or does he give the slightest hint that others should bow in submission to the ruler’s faith? No: when he enjoins obedience to magistrates in civil affairs, religion is evidently an excepted thing; and the disciples of Christ are commanded to yield subjection to him alone, and to suffer the loss of goods, of liberty, nay, and of life itself, rather than submit to be of the established religion of the Roman empire. These, it may be said, were not Christian magistrates: but in what part of the sacred code will it be found that Christian magistrates have this peculiar privilege conferred on them? Should it, for the sake of argument, be allowed that it belongs to Christian magistrates, then it is the prerogative of the King of Spain. But if I dwell in Spain, am I to receive my creed from him? Am I, at his command, to swallow the dregs of Popery? No. ‘ It is the magistrate who professes the reformed religion in its purity, to whom this authority belongs.’ But if the magistrate is himself to be judge (and judge in this case he must undoubtedly be), the King of Spain glories in being a member of the Holy Apostolical Roman Catholic Church; and he considers the King of England as a heretic, whose soul is defiled with the most dangerous opinions, and whose condemnation is certain. If they are both to be judges in their respective countries, each thinks his own faith the best, and there is no end to the labyrinth.”—*History of Dissenters*, Per. i. Chap. iii. Sec. i. Vol. i. pp. 300–302. Lond. 1808.

MARSHALL.

“ We deny, previous to all inquiry into their competency, that any civil government on earth can, on any pretence, intermeddle with our faith. We hold our faith on the authority of God himself, and no authority less than his may alter or control it. If any man, or class of men, call them by what name you please, shall presume to dictate to us directly or indirectly in matters of religion, we conceive they invade the prerogative of the Deity, and become participators of the guilt of that ‘ wicked one,’ who, ‘ as God sitteth in the temple of God, showing himself that he is God;’ 2 Thess. ii. 4. We conceive

they invade also the special prerogatives of Jesus our Saviour, the King whom God has set on his holy hill, who requires the supreme and undivided homage of his disciples, where he says, ‘ Call no man on earth master, one is your Master, even Christ.’ And lastly, we conceive they are chargeable with insufferable arrogance, in assuming a superiority to which they have no title, and attempting to dictate to us, when we have quite as good a right to dictate to them. We repel such arrogance with indignant scorn. We are prepared to remind those who are guilty of it, that they and we stand on equal ground ; that in matters of opinion all earthly authority is out of the question, and that if we do not believe as they believe, it only amounts to a proof of the fact, that they do not believe as we believe.

“ Such is a brief summary of our views on this interesting topic ; and holding these views, we are at no loss to dispose of the hackneyed common-places, with which the writers on your side are accustomed to puzzle the weaker part of their readers. For instance, when we are told that civil magistrates are ordained by God, and that they are the ministers of God for good ; we reply, they are ordained for a totally different purpose ; that they do good in a different way ; and that, if they go out of their sphere, and presume to intermeddle with the concerns of religion, they immediately pervert their office, and become the ministers, not of good but of evil. Or when we are told, that every man in every situation is bound to do all he can for the interests of religion, and that this obligation extends to the magistrate as well as to others, we reply, The statement is most true, and not to be denied, only it must be admitted with this simple explanation, that in the case of the magistrate, his taking cognizance of men’s faith is *more than he can*. Or, lastly, when we are told that the rule and the measure of the magistrate’s authority is the moral law, and that the moral law requires him to exert himself for God, we reply, without questioning the major part of the proposition, which yet is very questionable, and not to be admitted but with great modifications ; and also without questioning the other proposition, which yet is expressed so vaguely, as to mean almost anything, and therefore to mean nothing,—without entering into a discussion, which would be very needless ; we reply, first, that no man, be he magistrate or not, can exert himself for God, who interferes with God’s prerogatives, and claims the honour which is due to God, as if it were due to himself ; and, secondly, that no man, be he magistrate or not, can act in obedience to the moral law, who takes the most effectual of all methods to subvert the first precept of that law ; the

precept which says, ‘Thou shalt have no other gods before me.’—*Marshall's Reply to Dr Inglis' Indication of Establishments*, pp. 172–175.

DR THOMAS PRICE.

“When the religion of a people is made to depend on the pleasure of their rulers, it is necessarily subjected to a thousand infusions foreign from its nature and destructive of the reverence it should inspire. Alienated from its legitimate purpose, it is employed by the ambitious and crafty in promoting their nefarious schemes; and becomes, in consequence, connected in the public judgment with whatever is criminal and oppressive in the political institutions of the land. The kingly, or magisterial office, is essentially political. Its power may be wielded by an irreligious, immoral, or profane man; a despiser of Christianity, or a blasphemer of God. There is nothing to prevent this, or to afford even a presumption that it shall be otherwise. What, therefore, can be more monstrous than to attach to such an office a controlling power over the faith and worship of the church; to constitute its occupant the supreme head of that body which is represented as a congregation of faithful men? Among the many fantasies of the mind of man, none is more singularly absurd than this. It is in striking opposition to the nature of Christianity, and inconsistent with the obligations it imposes on its disciples. The Christian faith addresses men individually, soliciting an examination of its character, and demanding an intelligent and hearty obedience. But when the pleasure of a king is permitted to regulate the faith of a nation, authority is substituted for reason, and the promptings of fear supplant the perception of evidence, and the confiding attachment of an enlightened piety.”—*The History of Protestant Non-Conformity in England*, Chap. III. vol. i. pp. 63, 64. Lond. 1836.

The following passage occurs in a rare and valuable little book, on the policy and legislation of the Romans, published originally in Italian, under the title of “Saggio sopra la politica e la legislazione Romana,” 1772. It has been attributed to various authors, and among the rest to the Marquis Beccaria, whose work on “Crimes and Punishments,” produced so important and beneficial a change in the public mind of Europe on these subjects. The quotation is made from a French translation, printed at Paris. “L’An 3 de la republique, un et indivisible.”—“Sous les empereurs Chrétiens les loix relatives à la religion, et qu’on peut lire dans le code, nous représentent quel étoit, en ce tems là l’étrange désordre du gouvernement. Quand un souverain a clairement prescrit les devoirs de chaque citoyen

en, il n'en doit pas dire davantage, et ce n'est pas à lui à s'ériger en juge pour ce qui concerne l'autre vie. C'est couvrir de ridicule la majesté du trône, que de la jeter à travers les argumentations dogmatiques, et parmi syllogismes ténébreux de la scholastiques.—Il y a des usages qui paroissent consacrés par une sorte de prescription mais la vérité doit être constamment inaltérable et imprescriptible.”—*Essai sur la Politique et la Legislation des Romains*, Chap. III. pp. 145 146.

NOTE XXIII.

NATURE AND EXTENT OF THE OBLIGATION OF CIVIL LAW.

LOCKE.

The whole passage from LOCKE'S Diary, entitled “Obligation of Penal Laws,” is interesting, and so little known, that I give the whole of it, for which I am sure of the thanks of the reader.

“There are virtues and vices antecedent to, and abstract from society, as love of God, unnatural lust; other virtues and vices there are which suppose society and laws, as obedience to magistrates, or dispossessing a man of his heritage; in both of these the rule and obligation is antecedent to human laws, though the matter about which that rule is, may be consequent to them, as property in land, distinction and power of persons. All things not commanded, or forbidden by the law of God, are indifferent; nor is it in the power of man to alter their nature; and so no humane law can lay any obligation on the conscience, and therefore all humane laws are purely penal, *i. e.* have no other obligation, but to make the transgressors liable to punishment in this life. All divine laws oblige the conscience, *i. e.* render the transgressors liable to answer at God's tribunal, and receive punishment at his hands; but because very frequently both these obligations concur, the same action comes to be commanded or forbidden by both laws together, and so in these cases men's consciences are obliged. Men have thought that civil laws oblige their consciences to entire obedience; whereas, in things in their own nature indifferent, the conscience is obliged only to active or passive obedience, and that not by virtue of that humane law which the man either practises or is punished by, but by that law of God which forbids disturbance or dissolution of governments.

“ The gospel alters not in the least civil affairs, but leaves husband and wife, master and servant, magistrate and subject, every one of them, with the same power and privileges that it found them, neither more nor less ; and therefore when the New Testament says, ‘ Obey your superiors in all things,’ it cannot be thought that it laid any new obligation upon the Christians after their conversion, other than what they were under before : nor that the magistrate has not the same power still over his Christian, as he had over his heathen subjects ; so that, where he had power to command, they had still, notwithstanding the liberty and privileges of the gospel, obligations to obey. Now, amongst heathen politics (which cannot be supposed to be instituted by God for the preservation and propagation of true religion), there can be no other end assigned, but the preservation of the members of that society in peace and safety together. This being found to be the end, will give us the rule of civil obedience : for if the end of civil society be civil peace, the immediate obligation of every subject must be to preserve that society or government which was ordained to produce it ; and no member of any society can possibly have any obligation of conscience beyond this. So that he who obeys the magistrate to the degree, as not to endanger or disturb the government, under what form of government soever he live, fulfils all the law of God concerning government, *i. e.* obeys to the utmost, that the magistrate or society can oblige his conscience, which can be supposed to have no other rule set it by God but this.

“ The end of the institution being always the measure of the obligations of conscience then upon every subject, [and that end] being to preserve the government, ’tis plain, that where any law made with a penalty, is submitted to, *i. e.* the penalty is quietly undergone, the government cannot be disturbed or endangered ; for whilst the magistrate has power to increase the penalty, even to the loss of life, and the subject submits patiently to the penalty, which he is in conscience obliged to do, the government can never be in danger, nor can the public want active obedience in any case where it hath power to require it under pain of death ; for no man can be supposed to refuse his active obedience in a lawful and indifferent thing, when the refusal will cost him his life, and lose all his civil rights at once, for want of performing one civil action ; for civil laws have only to do with civil actions.

“ This, thus stated, clears a man from that infinite number of sins that otherwise he must unavoidably be guilty of, if all penal laws oblige the conscience farther than this. One thing farther is to be con-

sidered, that all human laws are penal ; for where the penalty is not expressed, it is by the judge to be proportioned to the consequence and circumstance of the fault. See the practice of the King's Bench. Penalties are so necessary to civil laws, that God found it necessary to annex them even to the civil laws he gave the Jews."—*Life of John Locke, by Lord King*, vol. i. pp. 114–117.

OWEN.

The following remarks on the danger of misapprehending the true source of all moral obligation, by Dr OWEN, in his answer to PARKER, are worthy to stand along with the above. I believe their proper place would be considerably above it.

" It hath hitherto been the judgment of all who have inquired into these things, that the great concern of the glory of God in the world, the interest of kings and rulers, of all governments whatever, the good and welfare of private persons, lies in nothing more than in preserving conscience from being debauched, in the conducting principles of it ; and a keeping up its due respect to the immediate sovereignty of God over it in all things. Neither ever was there a more horrid attempt upon the truth of the gospel, all common morality and the good of mankind, than that which some of late years, or ages have been engaged in, by suggesting in their casuistical writings, such principles for the guidance of the consciences of men, as in sundry particular instances might set them free as to practice, from the direct and immediately influencing authority of God in his word.

" And yet I doubt not, but it may be made evident, that all their principles in conjunction, are scarce of so pernicious a tendency as this one general theorem, that men may lawfully act in the worship of God or otherwise, against the light, dictates, or convictions of their own consciences. Exempt conscience from an absolute, immediate, entire, universal dependance on the authority, will, and judgment of God, according to what conceptions it hath of them, and you disturb the whole harmony of Divine Providence, in the government of the world, and break the first link of that great chain whereon all religion and government in the world do depend. Teach men to be like Naaman the Syrian, to believe only in the God of Israel, and to worship him according to his appointment, by his own choice, and from a sense of duty, yet also to bow in the house of Rimmon, contrary to his light and conviction, out of compliance with his master ; or, with the men of Samaria, to fear the Lord, but to worship their idols, —and they will not fail at one time or other rather to seek after rest

in restless atheism, than to live in a perpetual conflict with themselves, or to cherish an everlasting sedition in their own bosoms."—Pp. 69, 70.

BUNYAN.

"Well, then," said he, (Cobb, the clerk of the peace, to John Bunyan), "the king commands you that you should not have any private meetings: because it is against his law, and he is ordained of God, therefore you should not have any."—"I told him," says Bunyan, "the law has provided two ways of obeying. The one to do that which I on my conscience do believe that I am bound to, actively, and when I cannot obey actively, then I am willing to lie down and to suffer what they shall do to me."—*Ivimey's Life of Bunyan*, p. 237. 12mo. Lond. 1809.

NORRIS.

Norris of Bemerton, the Platonic philosopher, mystic divine, and sacred poet, an ingenious writer, and a decided high churchman, in his "*Charge of Schism against the Separatists*," p. 58, teaches, that "Civil penal laws have only a disjunctive obligation, and when they are in full force, leave us at liberty whether we will do what is required, or omit it and suffer, and are equally satisfied either way."—*The Charge of Schism against the Dissenters, discharged by Simon Browne*, p. 11. Lond. 1710.

NOTE XXIV.

RIGHT OF RESISTANCE.*

LOCKE.

"There is another way in which governments are dissolved, and that is, when the legislative, or the prince, either of them, act contrary to their trust.

* The reader who wishes to see what can be said against a principle, which is so powerfully supported in the following extracts, and in favour of its opposite, will do well to consult a small, but most elaborate dissertation, in the form of a sermon, entitled, "*Passive Obedience, or the Christian Doctrine of not resisting the Supreme Power, proved and vindicated upon the Principles of the Law of Nature, in a discourse preached at the College Chapel, by George Berkeley, M.A., Fellow of Trinity College, Dublin (afterwards Bishop of*

“First, The reason why men enter into society, is the preservation of their property; and the end why they choose and authorize a legislative is, that there may be laws made, and rules set, as guards and fences to the properties of all the members of the society, to limit the power and moderate the dominion of every part and member of the society. For since it can never be supposed to be the will of the society that the legislative should have a power to destroy that, which every one designs to secure, by entering into society, and for which the people submitted themselves to legislators of their own making, whenever the legislators endeavour to take away and destroy the property of the people, or to reduce them to slavery under arbitrary power, they put themselves into a state of war with the people, who are therefore absolved from any farther obedience, and are left to the common refuge which God hath provided for all men against force and violence. Whensoever, therefore, the legislative shall transgress

Cloyne). ‘Nec vero aut per senatum aut per populum solvi hac lege possumus.’—*Cic. frag. de rep.* Lond. 1713.”—This, without doubt, and beyond comparison, the ablest defence of Passive Obedience and Non-resistance on philosophical principles consistent with revelation, is a curious display of the characteristic extreme acuteness, yet unsoundness of the mind of its singularly gifted and most estimable author—“ingeniosa et sagax hario-latio viri disertissimi.” The scriptural argument in favour of these doctrines, is fully stated in Dean Sherlock’s “*Case of Resistance to the Supreme Powers, stated and resolved according to the Doctrine of the Holy Scriptures.*”—Lond. 1684. And the argument from the doctrine and practice of the primitive Christians, may be found in Archbishop Usher’s tract, entitled, “*The Power communicated by God to the Prince, and the Obedience required of the Subject, briefly laid down and confirmed out of the Holy Scriptures, the Testimony of the Primitive Church, the Dictates of Right Reason, and the Opinion of the Wisest among Heathen Writers.*” Lond. 1688. Few questions have been more thoroughly discussed. A specimen of the advocacy of what we regard as the right side, is presented to the reader, and it is but justice to say, that if that side of it which we consider as untenable, has been disgraced by the impiety of HOBBS and the unprincipled meanness of PARKER—the learning of USHER, the judgment of SANDERSON, the wit of SOUTH, the subtilty and candour of BERKELEY, and the sanctity of KEN, are more than enough to entitle to careful consideration any principle which they entertained. It is wonderful, however, that such men should have maintained such principles—and it is not less so, that men so distinguished for learning and worth, as NEWMAN, and KEBLE, and PUSEY, should seek to revive them. One must regret the misdirection of so much learning and talent—but this is about the amount of the evil. These principles will not now “grow and multiply.” The soil of the public mind in this country is too well cultivated to admit of such “briars and thorns,” spreading to any dangerous extent.

this fundamental rule of society, and either by ambition, fear, folly, or corruption, endeavour to grasp themselves, or put into the hands of any other, an absolute power over the lives, liberties, and estates of the people ; by this breach of trust they forfeit the power the people had put into their hands for quite contrary ends, and it devolves to the people, who have a right to resume their original liberty, and, by the establishment of a new legislative (such as they shall think fit), to provide for their own safety and security, which is the end for which they are in society.

“ What I have said here concerning the legislative in general, holds true also concerning the supreme executor, who, having a double trust put in him, both to have a part in the legislative, and the supreme execution of the law, acts against both, when he goes about to set up his own arbitrary will, as the law of the society. He acts also contrary to his trust, where he either employs the force, treasures, and offices of the society, to corrupt the representatives, and gain them to his purposes ; or openly pre-engages the electors, and prescribes to their choice, such whom he has by solicitations, threats, promises, or otherwise, won to his designs ; and employs them to bring in such who have promised before-hand what to vote and what to enact. Thus to regulate candidates and electors, and new-model the way of election, what is it but to cut up the government by the roots, and poison the very fountain of public security ? For the people having reserved to themselves the choice of their representatives, as a fence of their properties, could do it for no other end but that they might always be freely chosen, and so chosen, freely act and advise, as the necessity of the commonwealth, and the common good should, upon examination, and mature debate, be judged to require. This, those who give their votes before they hear the debate, and have weighed the reasons on all sides, are not capable of doing. To prepare such an assembly as this, and endeavour to set up the declared abettors of his own will, for the true representatives of the people, and the law-makers of the society, is certainly as great a breach of trust, and as perfect a declaration of a design to subvert the government, as is possible to be met with. To which, if one shall add rewards and punishments, visibly employed to the same end, and all the arts of perverted law made use of to take off and destroy all that stand in the way of such a design, and will not comply and consent to betray the liberties of their country, 'twill be past doubt what is doing. What power they ought to have in society, who thus employ it, contrary to the trust which went along with it, in its first institu-

tion, is easy to determine ; and one cannot but see, that he who has once attempted any such thing as this, cannot any longer be trusted.

“ To this perhaps it will be said, that the people being ignorant, and always discontented, to lay the foundation of government in the unsteady opinion and uncertain humour of the people, is to expose it to certain ruin ; and no government will be able long to subsist, if the people may set up a new legislature, whenever they take offence at the old one. To this I answer, quite the contrary. People are not got so easy out of their old forms as some are apt to suggest. They are hardly to be prevailed with, to amend the acknowledged faults, in the frame they have been accustomed to. And, if there be any original defects, or adventitious ones, introduced by time or corruption, it is not an easy thing to get them changed, even when all the world sees there is an opportunity for it. The slowness and aversion in the people to quit their old constitutions, has, in the many revolutions which have been seen in this kingdom, in this and former ages, still kept us to, or after some interval of fruitless attempts, still brought us back again to our old legislative, of king, lords, and commons : and whatever provocations have made the crown to be taken from some of our princes’ heads, they never carried the people so far as to place it in another line.

“ But it will be said, this hypothesis lays a ferment for frequent rebellion. To which I answer,

“ *First*, No more than any other hypothesis. For when the people are made miserable, and find themselves exposed to the ill usage of arbitrary power, cry up their governors as much as you will, for sons of Jupiter,—let them be sacred and divine, descended or authorized from heaven,—give them out for whom or what you please, the same will happen. The people, generally ill-treated, and contrary to right, will be ready, upon any occasion, to ease themselves of a burden that sits heavy upon them. They will wish and seek for the opportunity, which in the change, weakness, and accidents in human affairs, seldom delays long to offer itself. He must have lived but a little while in the world, who has not seen examples of this in his time ; and he must have read very little, who cannot produce examples of it in all sorts of governments in the world.

“ *Secondly*, I answer, such revolutions happen not upon every little mismanagement in public affairs. Great mistakes in the ruling part, many wrong and inconvenient laws, and all the slips of human frailty, will be borne by the people without mutiny or murmur. But, if

a long train of abuses, prevarications, and artifices, all tending the same way, make the design visible to the people, and they cannot but feel what they lie under, and see whether they are going, 'tis not to be wondered, that they should then rouse themselves, and endeavour to put the rule into such hands, which may secure to them the ends for which government was at first erected; and without which, ancient names and specious forms are so far from being better, that they are much worse than the state of nature or pure anarchy—the inconveniences being all as great and as near, but the remedy farther off and more difficult.

“*Thirdly*, I answer, that this doctrine, of a power in the people of providing for their safety anew, by a new legislative, when their legislators have acted contrary to their trust, by invading their property, is the best fence against rebellion, and the probablest means to hinder it. For rebellion being an opposition, not to persons but authority, which is founded only in the constitutions and laws of the government, those, whoever they be, who by force break through, and by force justify their violation of them, are truly and properly rebels. For when men, by entering into society and civil government, have excluded force, and introduced laws, for the preservation of property, peace, and unity among themselves, those who set up force again, in opposition to the laws, do *rebellare*—that is, bring back again the state of war, and are properly rebels, which they, who are in power (by the pretence they have to authority, the temptation of force they have in their hands, and the flattery of those about them) being likeliest to do; the properest way to prevent the evil, is to show them, the danger and injustice of it, who are under the greatest temptation to run into it.

“In both the fore-mentioned cases, when either the legislative is changed, or the legislators act contrary to the end for which they were constituted, those who are guilty, are guilty of rebellion. For if any one by force takes away the established legislative of any society, and the laws by them made pursuant to their trust, he thereby takes away the umpirage, which every one has consented to, for a peaceable decision of all their controversies, and a bar to the state of war among them. They who remove, or change the legislative, take away this decisive power, which nobody can have, but by the appointment and consent of the people: and so destroying the authorities which the people did, and nobody else can set up, and introducing a power which the people hath not authorized, they actually introduce a state of war, which is that of force without authority: and

thus, by removing the legislative established by the society (in whose decision the people acquiesced and united, as in that of their own will) they untie the knot, and expose the people anew to the state of war. And if those, who by force take away the legislative, are rebels, the legislators themselves, as has been shown, can be no less esteemed so, when they who were set up for the protection and preservation of the people, their liberties and properties, shall, by force, invade and endeavour to take them away ; and so they putting themselves into a state of war with those who made them the protectors and guardians of their peace, are properly, and with the greatest aggravations, *rebellantes*, rebels.

“ But if they who say, ‘ it lays a foundation for rebellion,’ mean that it may occasion civil wars or intestine broils, to tell the people they are absolved from obedience, when illegal attempts are made on their liberties or properties, and may oppose the unlawful violence of those who were their magistrates, when they invade their properties, contrary to the trust put in them ; and that therefore this doctrine is not to be allowed, being so destructive to the peace of the world ; they may as well say, upon the same ground, that honest men may not oppose robbers, because this may occasion disorder or bloodshed. If any mischief come in such cases, it is not to be charged upon him who defends his own right, but on him that invades his neighbour’s. If the innocent, honest man, must quietly quit all he has for peace’ sake, to him who will lay violent hands upon it, I desire it may be considered, what a kind of peace there will be in the world, which consists only in violence and rapine, and which is to be maintained, only for the benefit of robbers and oppressors ! Who would not think it an admirable peace, betwixt the mighty and the mean, when the lamb, without resistance, yielded his throat to be torn by the imperious wolf ? Polyphemus’ den gives us a perfect pattern of such a peace, and such a government, wherein Ulysses and his companions had nothing to do, but quietly to suffer themselves to be devoured. And no doubt, Ulysses, who was a prudent man, preached up passive obedience, and exhorted them to a quiet submission, by representing to them of what concernment peace was to mankind ; and by showing that inconveniences might happen if they should offer to resist Polyphemus, who had now the power over them !

“ The end of government is the good of mankind ; and which is best for mankind, that the people should be always exposed to the boundless will of tyranny, or that the rulers should be sometimes liable to be opposed, when they grow exorbitant in the use of the power,

and employ it for the destruction, and not the preservation of the properties of their people ?

“ Nor let any one say, that mischief can arise from hence, as often as it shall please a busy head, or turbulent spirit, to desire the alteration of the government. 'Tis true such men may stir, whenever they please, but it will be only to their own just ruin and perdition. For till the mischief be grown general, and the ill designs of the rulers become visible, or their attempts sensible to the greater part, the people, who are more disposed to suffer, than right themselves by resistance, are not apt to stir. The examples of particular injustice, or oppression, of here and there an unfortunate man, move them not. But, if they universally have a persuasion, grounded on manifest evidence, that designs are carrying on against their liberties, and the general course and tendency of things cannot but give them strong suspicions of the evil intention of their governors, who is to be blamed for it ? who can help it, if they, who might avoid it, bring themselves into this suspicion ? Are the people to be blamed, if they have the sense of rational creatures, and can think of things no otherwise, than as they find and feel them ? And is it not rather their fault, who put things into such a posture, that they would not have them thought to be, as they are ? I grant, that the pride, ambition, and turbulency of private men, have sometimes caused great disorders in commonwealths, and factions have been fatal to states and kingdoms. But whether the mischief hath oftener begun in the people's wantonness, and a desire to cast off the lawful authority of their rulers, or in the rulers' insolence, and endeavours to get and exercise an arbitrary power over their people ; whether oppression or disobedience gave the first rise to the disorder, I leave it to impartial history to determine. This I am sure, whoever, either ruler or subject, by force goes about to invade the rights of either prince or people, and lays the foundation for overturning the constitution and frame of any just government, is highly guilty of the greatest crime, I think, a man is capable of, being to answer for all those mischiefs of blood, rapine, and desolation, which the breaking to pieces of governments bring on a country. And he who does it, is justly to be esteemed the common enemy and pest of mankind ; and is to be treated accordingly.”—*Locke on Civil Government, Chap. xix. Works, vol. ii. pp. 230–233.*

“ When the body of the people (or any single man), are deprived of their right, or are under the exercise of a power without right, and have no appeal on earth, then they have a liberty to appeal to Heaven whenever they judge the cause of sufficient moment. And, therefore,

though the people cannot judge, so as to have by the constitution of that society any superior power to determine and give effective sentence in the case, yet they have by a law antecedent and paramount to all positive laws of men, reserved that ultimate determination to themselves, which belongs to all mankind, where there lies no appeal on earth, viz. to judge whether they have just cause to make their appeal to Heaven. And this judgment they cannot part with, it being out of a man's power so to submit himself to another as to give to him a liberty to destroy him; God and nature never allowing a man so to abandon himself as to neglect his own preservation; and since he cannot take away his own life, neither can he give another power to take it. Nor let any one think this lays a perpetual foundation for disorder; for this operates not, till the inconveniency is so great that the majority feel it, and are weary of it, and find a necessity to have it amended."—*Ibid.* Chap. xix. pp. 215, 216.

PALEY.

Let us hear now what the cautious PALEY says about the right of resistance.—“But who shall judge this?”—*i. e.* whether greater evil will result from submitting to or opposing injustice,—“we answer, ‘every man for himself’ In contentions between the sovereign and the subject, the parties acknowledge no common arbitration; and it would be absurd to refer the decision to *those* whose conduct has provoked the question, and whose own interest, authority, and fate are immediately concerned in it. The danger of error and abuse is no objection to the rule of expediency, because every other rule is liable to the same or greater: and every rule that can be propounded upon the subject (like all rules indeed which appeal to, or bind the conscience), must in the application depend upon private judgment. It may be observed, however, that it ought equally to be accounted the exercise of a man's own private judgment, whether he be determined by reasonings and conclusions of his own, or submit to be directed by the advice of others, provided he be free to choose his guide.

“We proceed to point out some easy but important inferences, which result from the substitution of *public expediency* into the place of all implied compacts, promises, or conventions, whatsoever.

“I. It may be as much a duty, at one time, to resist government, as it is, at another, to obey it; to wit, whenever more advantage, will, in our opinion, accrue to the community from resistance, than mischief.

“II. The lawfulness of resistance, or the lawfulness of a revolt,

does not depend alone upon the grievance which is sustained or feared, but also upon the probable expense and event of the contest. They who concerted the Revolution in England, were justifiable in their counsels, because, from the apparent disposition of the nation, and the strength and character of the parties engaged, the measure was likely to be brought about with little mischief or bloodshed : whereas it might have been a question with many friends of their country, whether the injuries, then endured and threatened, would have authorized the renewal of a doubtful civil war.

“ III. Irregularity in the first foundations of a state, or subsequent violence, fraud, or injustice, in getting possession of the supreme power, are not sufficient reasons for resistance, after the government is once peaceably settled. No subject of the British empire conceives himself engaged to vindicate the justice of the Norman claim or conquest, or apprehends that his duty in any manner depends upon that controversy. So likewise, if the house of Lancaster, or even the posterity of Cromwell, had been at this day seated on the throne of England, we should have been as little concerned to inquire how the family came there. No civil contests are so futile, although none have been so furious and so sanguinary, as those which are excited by a disputed succession.

“ IV. Not every invasion of the subject's rights, or liberty, or of the constitution ; not every breach of promise, or of oath ; not every stretch of prerogative, abuse of power, or neglect of duty by the chief magistrate, or by the whole or any branch of the legislative body, justifies resistance, unless these crimes draw after them public consequences of sufficient magnitude to outweigh the evils of civil disturbance ; nevertheless every violation of the constitution ought to be watched with jealousy, and resented as *such*, beyond what the quantity of estimable damage would require or warrant ; because a known and settled usage of governing, affords the only security against the enormities of uncontrolled dominion, and because this security is weakened by every encroachment which is made without opposition, or opposed without effect.

“ V. No usage, law, or authority, whatsoever, is so binding, that it need or ought to be continued when it may be changed with advantage to the community. The family of the prince, the order of succession, the prerogative of the crown, the form and parts of the legislature, together with the respective powers, office, duration, and mutual dependency of the several parts, are all only so many laws, mutable like other laws, whenever expediency requires, either by the

ordinary act of the legislature, or, if the occasion deserve it, by the interposition of the people. These points are wont to be approached with a kind of awe; they are represented to the mind as principles of the constitution, settled by our ancestors, and being settled, are to be no more committed to innovation or debate; as foundations never to be stirred; as the terms and conditions of the social compact, to which every citizen of the state has engaged his fidelity, by virtue of a promise which he cannot now recall. Such reasons have no place in our system: to us, if there be any good reason for treating these with more deference and respect than other laws, it is either the advantage of the present constitution of government (which reason must be of different force in different countries), or because in all countries it is of importance that the form and usage of governing be acknowledged and understood, as well by the governors as by the governed, and because the seldomer it is changed, the more perfectly it will be known by both sides."—*Paley's Mor. and Pol. Phil., Works*, vol. i. pp. 318–321.

HUTCHESON.

"The persons vested with the supreme power have it with that extent which the constitution or fundamental laws have given them. The sum of civil power in all states is the same; the same quantity of it in every state resides somewhere or other, at least with the body of the people. But the powers vested in the king, or in any councils, in one state, may be very different from what is vested in like persons or councils in others. For in some, certain rights of the people are expressly exempted from the power of any prince or political council; but in others, there are no such exemptions. But as the end of all civil power is acknowledged by all to be the safety and happiness of the whole body, any power not naturally conducive to this end is unjust, which the people, who rashly granted it under an error, may justly abolish again, when they find it necessary to their safety to do so. Nor can any thing be conceived more insolent or perfidious, than that persons entrusted with power solely for the good of a people, should strive to retain it by force, for their own grandeur when it is found destructive to the people.

"It were to be wished, that in these cases such powers should be abolished in a peaceable manner, by mutual consent rather than by force. Nor is it justifiable in a people to have recourse for any lighter causes to violence and civil wars against their rulers, while the public interests are tolerably secured and consulted. But when it is evi-

dent, that the public liberty and safety is not tolerably secured, and that more mischiefs, and these of a more lasting kind, are like to arise from the continuance of any plan of civil power, than are to be feared from the violent efforts for an alteration of it, then it becomes lawful, nay honourable, to make such efforts, and change the plan of government.

“What is alleged about some peculiarly divine right and inviolable sanctity of governors, especially monarchs, is a mere dream of court flatterers. In one sense, every right is divine which is constituted by the law of God and nature. The rights of the people are then divine, as well as those of princes; nay, since the latter were constituted for the defence and protection of the former, the former should be deemed the more divine and sacred. The rights of the governor, as they are more important than those of any one private man, may be deemed more sacred than his private rights; but can never be deemed more sacred than the rights of the whole body. A good subject ought to bear patiently many injuries done only to himself, rather than take arms against a prince, in the main good and useful to the state, provided the danger only extends to himself. But when the common rights of the community are trampled upon, and what at first is attempted against one, is to be made a precedent against all the rest, then, as the governor is plainly perfidious to his trust, he has forfeited all the power committed to him.

“In every sort of government the people have this right of defending themselves against the abuse of power. If the prince’s power be limited, and yet he breaks over the bounds, invading such rights as the people had reserved in the very constitution of the power, the people’s right of resistance is unquestionable. But even in absolute governments they have the same right, if their governor, ceasing to use his power as if he owned it destined for the good of the body, should govern the whole state as his own property, and neglecting the common safety of all, turn every thing to the gratification of his own lust or avarice; or if he plainly declares such a hatred of his people, or conducts all affairs in such a wretched manner, that not even the most sacred rights of the people, such as are necessary to any tolerable life, remain secure to them. Nor does this doctrine of resistance, give to the people a civil superiority over their governors; for even slaves, adjudged to the most miserable subjection for their crimes, may have a right to defend themselves against certain injuries their masters may attempt against them.

“As to that question, who shall be judge in this disputed point,

whether the governors, by their perfidy and maladministration, have forfeited their right ? if it is alleged the people cannot judge, as they are parties, for the same reason the governors cannot judge. The only recourse then should be to impartial arbiters, either within the state or in some other nation, if this could be safe ; but, if not, surely the people have a better claim to judge on this point, since *they* at first entrusted their governors with such powers, and the powers were designed for the management of the people's interests, and were constituted for their behoof. It is true there are great dangers of mistake on this head : but the governors are not exempted from errors more than the people. Men have often erred both about their public rights and their private ones, too, of self-defence ; but we must not, for that reason, deny that they have such rights.

“ In this most important matter, no doubt, persons concerned are bound to use the utmost caution, and weigh all things on both sides. Nor ought we to involve our fellow-citizens in civil wars, the most miserable of all wars, for any such lighter injuries, or wrong conduct of our governors, as may be incident sometimes to persons, in the main good, and of upright intentions. But when there is no other way of preserving a people, and when their governors, by their perfidious frauds, have plainly forfeited their rights, they may justly be divested of their power, and others put into their places, or a new plan of power established.

“ Nor does this doctrine of the right of resistance, in defence of the rights of a people, naturally tend to excite seditions and civil wars. Nay, they have been more frequently occasioned by the contrary tenets. In all ages there has been too much patience in the body of the people, and too stupid a veneration for their princes and rulers, which for each one free kingdom or state, has produced many monstrous herds of miserable abject slaves, or beasts of burden, rather than civil polities of rational creatures, under the most inhuman and worthless masters, trampling upon all things human and divine with the utmost effrontery.”—*Hutcheson's Elements of Ethics*, Book iii. §§ i. and ii. vol. ii. pp. 325-9. 12mo. Glasgow, 1772.

WITHERSPOON.

“ It is frequently observed, that in every government there is a supreme irresistible power lodged somewhere in king, senate, or people. To this power is the final appeal in all questions. Beyond this we cannot go. How far does this authority extend ? We answer, as far as authority in a social state can extend : it is not accountable to

any other tribunal, and it is supposed in the social compact, that we have agreed to submit to its decision. There is, however, an exception, if the supreme power, wherever lodged, come to be exercised in a manifestly tyrannical manner, the subjects may certainly, if it is in their power, resist and overthrow it. But this is only when it becomes manifestly more advantageous to unsettle the government altogether, than to submit to tyranny. This resistance to the supreme power, however, is subverting the society altogether, and is not to be attempted till the government is so corrupt, as that anarchy and the uncertainty of a new settlement is preferable to the continuance of it as it is.

“ This doctrine of resistance, even to the supreme power, is essentially connected with what has been said of the social contract, and the consent necessary to political union. If it be asked, who must judge when the government may be resisted ? I answer, the subjects in general,—every one for himself. This may seem to be making them both judge and party, but there is no remedy. It would be denying the privilege altogether, to make the oppressive ruler the judge.

“ It is easy to see that the meaning of this is, not that any little mistake of the rulers of any society will justify resistance. We must obey and submit to them always, till the corruption becomes intolerable ; for to say that we might resist legal authority, every time we judged it to be wrong, would be inconsistent with a state of society, and to the very first idea of subjection.

“ The once famous controversy on passive obedience and non-resistance seems now in our country to be pretty much over. What the advocates of submission used to say was, that to teach the lawfulness of resisting a government in any instance, and to make the rebel the judge, is subversive of all order, and must subject a state to perpetual sedition. To this I answer, To refuse this inherent right in every man, is to establish injustice and tyranny, and leave every good subject without help, as a tame prey to the ambition and rapacity of others. No doubt men may abuse the privilege, yet this does not make it void. Besides, it is not till a whole people rise, that resistance has any effect ; and it is not easy to suppose that a whole people would rise against their governors, unless when they have really received very great provocations. Whereas, on the other hand, nothing is more natural than for rulers to grasp at power, and their situation enables them to do it successfully by slow and insensible encroachments. In experience there are many instances of rulers becoming tyrants, but comparatively very few of causeless and pre-

mature rebellions. There are occasional insurrections in every government. These are easily raised by interested persons, but the great majority continues to support order."—*Witherspoon's Lectures on Moral Philosophy*, Lect. xii. § v. *Works*, vol. vii. pp. 102–104. 12mo. Edin. 1805.

SELDEN.

SELDEN'S opinion is worth listening to.—"To know what obedience is due to the prince, you must look into the contract betwixt him and his people; as if you would know what rent is due from the tenant to the landlord, you must look into the lease. When the contract is broken, and there is no third person to judge, then the decision is by arms." His notions of the office of a king, all turn upon the degree of power delegated. "A king is a thing men have made for their own benefit for quietness' sake." "The text, 'Render unto Cæsar the things that are Cæsar's,' makes as much against kings as for them, for it says plainly, that some things are not Cæsar's. But divines make choice of it, first in flattery, and then because of the other part adjoined to it, 'Render unto God the things that are God's,' where they bring in the church."—*Aikin's Life of Selden and Usher*, pp. 179, 180.

NAPHTALI.

The following quotation from "Naphtali" is characterised by an impassioned, yet chastened eloquence, which puts us in mind of some of Milton's finest passages. Naphtali is generally understood to have been written by the Rev. JAMES STIRLING, minister of Paisley; but the introduction is so very far superior, both in thought and composition, that it is difficult to suppose it the work of the same person who compiled the body of the book. The reference is to the rising at Bothwell:

"It is true, also, that the action is condemned by some as rebellious, and the endeavour as indeliberate, irrational, and presumptuous; but referring the reader to the following discourse for full satisfaction thereanent, I shall only here hint, that being altogether accidentally occasioned by an unforeseen emergent difference betwixt three or four soldiers and as many countrymen, arising from horrid oppression, through unjust laws and cruel military execution thereof, without premeditated counsel or contrivance, it cannot be imagined that all the formalities which may be judged necessary in a matter of that nature and importance could have been in it; and yet it is presumed that it wanted nothing but success to have made many, the same persons, account the action just and necessary, and the en-

terprise laudable and valorous. And as for the persons themselves, it may be truly, and without vanity, affirmed, that these many years past, there hath not been in Britain such another company of men joyned in armes for the Covenant and cause of God ; for though when armies were more numerous, there might be or was the like, or greater number of persons truly godly, yet when the whole number was so small, it will be very hard to parallel so many together, of sound judgment, true piety, integrity of heart, fervent zeal, and undaunted resolution and courage, and with so small a mixture of persons of corrupt mindes, profane conversations, and sinistrous ends. And although we would not be prodigal of men's lives, especially of saints, at this time, when there is so great need and scarcity of intercessors to stand between the dead and the living, yet that simple act of renewing the Covenant is more glory to God, and a greater testimony and advantage to that buried Covenant and cause, than (we hope) the loss of so many men as are faine, shall import of damage thereunto. But, above all, take notice of the many sufferings and sufferers hereafter mentioned, whose blood under the altar, and some of whose heads and hands standing betwixt heaven and earth, do not only cry for vengeance, but night and day bear open witness against this adulterous generation. These men's testimony should have the more weight and credite with all, because of the persons, the nature, and manner thereof, which was not by wishing, word-speaking, or doing without danger, which is the height of too many men's atchievement in these days, but by *blood*, whereunto "they resisted, striving against sin;" and thereby being neither afraid to act, nor ashamed to suffer for their Lord and Master, have left behind them a fair example of both to all, and a reproof to many, whose greater prudence than zeal hath taught them to save themselves by couching betwixt the burdens.

"That a great Prince, and yet not so great as good,—an eminent and more than ordinarily useful, and never-to-be-forgotten instrument of the work of reformation and patron of the church,—and a true and seeing prophet, did fall in Scotland, when Argile, Warriston, and Mr Guthrey, for no other cause but their *good deeds*, and particularly for loving of our nation and building of our synagogue, were led like innocent sheep to the slaughter, nothing but wickedness, malice, or partiality can deny ; for they wanted nothing to make them beloved, as they were esteemed and feared by their enemies, but that they neither did nor would, because for love and awe of God they durst not, with others, make shipwreck of faith and a good conscience. Of

these three mighty men and others, who, by suffering, have obtained the crown (though some of them being but country yeomen, had mean education and little other learning, than what they learned in the gospel of Him who is meek and lowly, and whom the zeal of his Father's house did eat up), it is below their due commendation when it is affirmed, that never any men of the greatest spirits, piety, and learning, did suffer and die with more meekness and patience toward their enemies,—with more humility and confidence toward their God,—with more faithfulness and stedfastness in the truth, without the least injurious reflection thereupon, or their own adherence thereunto,—with more equability and composure of spirit, sweetly tempered with the sorrows of sin and joys of the Holy Ghost, in assurance of pardon and life everlasting,—and with less perturbation of mind, and alteration of the carriage or countenance, than these *worthies* did. Here, indeed, was the faith and patience of the saints: here did the Lord stand by and strengthen them, when others forsook. Yea, the Lord, to the admiration of all, the conviction of many of their adversaries, the confirmation and establishment of the cause, the encouragement of many thousands, his own eternal glory and their immortal commendation, did work in the hearts of all beholders, more ample and enduring epistles of commendation than the most eloquent and pathetic rhetorician can write in their favours.”—*Naphtali, or the Wrestlings of the Church of Scotland*—1667. *Preface*, p. 12, &c.

M'CRIE.

The following additional observations on “the right of resistance,” exercised by the Covenanters at Pentland and Bothwell, are from the pen of the ablest of their modern defenders, the lamented and revered Author of the *Lives of Knox and Melville*,—a man who, for his masculine understanding, enlightened and fervent piety, accurate and extensive professional learning, generous love of freedom, and amiable and unassuming manners, lives, and will long live, in the memories and hearts of those who knew him; while his works have taken their permanent place among the richest treasures of the historical literature of our country. We are wearying for his Life, with its promised accompaniments.

“Their defence rests on more substantial grounds. It rests on the same grounds as that of the resistance made by the Protestants in Germany, the Netherlands, and France, who were publicly aided by Elizabeth, James, and Charles I. If the Covenanters were chargeable with rebellion, it is impossible to vindicate these princes and their

parliaments from the charge of fostering rebellion. We appeal not only to their practice, but also to their public declarations, in which they avowed the right of subjects to defend themselves against the oppression and tyranny of their native sovereigns.

“ We appeal to the language held by James, whose ideas of royal prerogative were sufficiently high. ‘ My reason of calling you together (says his majesty, in a letter to Dr Abbot), was to give your judgment, how far a Christian and a Protestant king may concur to assist his neighbours, to shake off their obedience to their own sovereigns, upon the account of oppression, tyranny, or what else you like to name it. In the late queen’s time, this kingdom was free in assisting the Hollanders both with arms and advice, and none of your coat ever told me that any scrupled about it in her reign. Upon my coming to England you may know, it came from some of yourselves to raise scruples about this matter; yet I never took any notice of these scruples, till the affairs of Spain and Holland forced me to it. I called my clergy together to satisfy, not so much me, as the world about us, of the justness of my owning the Hollanders at this time. This I needed not to have done, and you have forced me to say, I wish I had not.’ In his speech to the parliament that year, he had these words: ‘ A king ceases to be a king, and degenerates into a tyrant, as soon as he leaves off to govern by law; in which the king’s conscience may speak to him as the poor woman to Philip of Macedon, Either govern by law, or cease to be a king.’ And again, in his speech, anno 1609, ‘ A king governing in a settled kingdome, ceaseth to be a king, and degenerateth into a tyrant, so soon as he leaveth to rule by his lawes, much more when he beginneth to invade his subjects’ persones, rights, and liberties, to set up an arbitrary power, impose unlawfull taxes, raise forces, and make warre upon his subjects, whom he should protect and rule in peace: to pillage, plunder, waste, and spoile his kingdom; imprison, murder, and destroy his people in a hostile manner, to captivat them to his pleasure.’

“ We can appeal to divines and dignitaries of the church of England, who have sanctioned the principles of resistance on which our ancestors acted—to Jewel, Hooker, Bilson, Bedel, Burnet, Hoadly, and King. But this is unnecessary, as the whole convocation, the Church of England representative, in Elizabeth’s reign, publicly acknowledged it ‘ glorious to assist subjects in their resistance to their sovereigns, and their endeavours to rid themselves of their tyranny and oppressions.’ And in 1623, when Charles I. resolved to assist the French Protestants, both Houses of Parliament petitioned his ma-

jesty to appoint a fast; and in the office of devotion composed for the occasion, the nation was directed to pray for all those 'who, here or elsewhere, were fighting God's battles, and defending his altars.'

"In fine, their conduct was vindicated at the Revolution, when the parliament of Scotland, in prosecution of 'the *claim of right*,' rescinded all forfeitures and fines passed against those who had been in arms at Pentland and Bothwell, and pronounced them 'void and null *from the beginning*.' After mentioning a vast number of names, the act proceeds: 'Likeas, their majesties, and three estates, rehabilitate, redintegrate, and restore so many of the said persons as are living, and *the memory of them that are deceast*, their heirs, successors, and posterity, to their goods, *fame*, and worldly honour.'"—*Review of the First Series of the Tales of My Landlord. Edinburgh Christian Instructor for 1817.*

DR GEORGE CAMPBELL.

The remarks which follow, on the limits of civil obedience and the right of resistance, deserve particular regard, not only from their intrinsic good sense, and the characteristic sagacity and caution of their author—Principal CAMPBELL of Aberdeen—but also from the circumstance that they occur in a tract, the avowed object of which is to prove the criminality of the conduct of the American colonies, in resisting what they considered the unjust impositions of the government of this country.

"The general precept to be observed by the people in regard to their rulers, is to obey them, Rom. xiii. 1, 2, 5; 1 Pet. ii. 13-15. Are we then to conclude that resistance to governors is in all cases unlawful, and that whatever part they act, however oppressive and tyrannical, the governed have no choice but obedience and submission? I by no means affirm this. There are few general rules that admit of no exception. Consider the commandment, 'Thou shalt not kill,' Exod. xx. 13. Does it import, that in no possible circumstances, one man is permitted to take away the life of another? No, certainly. Notwithstanding this unlimited prohibition, we all allow, and have sufficient warrant from scripture for allowing, that in several cases, as in the judicial punishment of crimes, in self-defence, and in lawful war, it not only may be vindicated, but is even a duty, to deprive another of life. Nor, let it be urged, that the term rendered *kill*, ought to have been translated *commit murder*; for it is certain, that the Hebrew word is of as extensive signification as the English, and applied indifferently to lawful as to unlawful killing. 'Children,

obey your parents,' says the apostle Paul, 'IN ALL THINGS.' The same injunction is also given to servants in regard to their masters, Col. iii. 20, 22. This, one would think, excludes all exception, if words can exclude it. Yet, I believe, no Christian will urge that there would be an obligation to obedience from this precept, should a parent command his child, or a master command his servant to *steal*. I shall offer but one other instance, an instance which nearly resembles the point in hand. Our Lord has given us this express prohibition, 'Resist not evil,' Matt. v. 39; and that without any restriction whatever. Yet, if this was to be understood by Christians as admitting no exception, it would among them abolish magistracy itself. For what is magistracy, but, if I may be allowed the expression, a bulwark erected for the defence of the society, and consequently, for the very purpose of 'resisting evil,' for repelling injuries offered or committed, either by foreign enemies from without, or by its own corrupted members from within? Therefore, unless the nature of the thing require it, we cannot conclude so much from a general proposition.

"And that the nature of the thing does not in this case require it, is manifest from this consideration, that government obliges us in conscience to obedience and submission, only because it is the means appointed by Providence for promoting one of the most important ends, the good of society. If this institution, therefore, should in any instance so far degenerate into tyranny, that all the miseries of a civil war, consequent on resistance, would be less terrible than the slavery and oppression suffered under the government, then, and only then, could resistance be said to be either incumbent as a duty, or even lawful. It cannot reasonably be denied, that the principle of self-defence is as natural and justifiable in communities as individuals.

"This much I thought it necessary to premise, for the sake of truth; and that it might not be imagined I mean to argue on the slavish, unnatural, and justly exploded principles of *passive obedience* and *non-resistance*; principles whose manifest tendency is the establishment and support of despotism."—*The Nature, Extent, and Importance of the Duty of Allegiance—Dissertation on Miracles, with Sermons and Tracts*, pp. 259–261. 8vo. Lond. 1834.

GISBORNE.

"The first of the two fundamental rights which the people of Great Britain have retained, notwithstanding their engagements to

their governors, for the defence of national freedom, and the augmentation of national happiness, is the right of resuming the delegated authority of the state, from the hands of the governors, who deliberately and flagrantly violate the conditions, on which it was committed to them.

“The precedent of the Revolution of 1688, is still so fresh in the minds of Englishmen, that a simple reference to that happy event will sufficiently prove the truth of this position. But let it be remembered, with respect to the right in question, if any crisis now unforeseen and unexpected, should oblige posterity to have recourse to it; that, in such a conjuncture, the breach of contract on the part of the sovereign would not justify a subject in co-operating forcibly to expel him from his throne, unless, on mature reflection, he should believe in his conscience that the nation was desirous that the forfeiture should be exacted.”—“If either House of Parliament were resolutely to overleap the constitutional limits of its functions, and to persist in its usurpation, in defiance of the other branches of the legislature, and of the nation; the principles which gave birth to the Revolution would in that case equally vindicate resistance on the part of those branches and of the people; and the private subject ought to be governed as to the exercise of the right, by the considerations recently stated.”—*Enquiry into the Duties of Men*, Chap. iv. vol. i. pp. 97–99.

LORD JOHN RUSSELL.

“I apprehend few men will now deny, that resistance to a government may sometimes be an act not only justifiable as an enterprize, but imperative as a duty.”—*Life of Lord Russell*.

SIR JAMES MACKINTOSH.

Admirable as the foregoing extracts are, they must, in our opinion, all yield the palm to the following observations, which present the most philosophical and satisfactory view of the whole subject, which is to be found in our own, or perhaps any other language:—

“The time (1688) was now come, when the people of England were called upon to determine, whether they should by longer submission sanction the usurpations, and encourage the farther encroachments of the crown, or take up arms against the established authority of their sovereign, for the defence of their legal rights, as well as of those safeguards which the constitution had placed around them. Though the solution of this tremendous problem requires the calmest

exercise of reason, the circumstances which bring it forward commonly call forth mightier agents, which disturb and overpower the action of the understanding. In conjunctures so awful, where men feel, more than they reason, their conduct is chiefly governed by the boldness or the wariness of their nature, by their love of liberty, or their attachment to quiet, by their proneness or slowness to fellow-feeling with their countrymen. The generous virtues and turbulent passions rouse the brave and aspiring to resistance ; some gentle virtues and useful principles second the qualities of human nature, in disposing many to submission. The duty of legal obedience seems to forbid that appeal to arms, which the necessity of preserving law and liberty allows, or rather demands. In such a conflict, there is little quiet left for moral deliberation. Yet by the immutable principles of morality, and by them alone, must the historian try the conduct of all men, before he allows himself to consider all the circumstances of time, place, opinion, example, temptation, and obstacle, which, though they never authorise the removal of the everlasting landmarks of right and wrong, ought to be well weighed, in allotting a due degree of commendation or censure to human actions.

“ The English law, like that of most other countries, lays down no limits of obedience. The clergy of the Established Church, the authorised teachers of public morality, carried their principles much farther than was required by a mere concurrence with this cautious silence of the law. Not content with inculcating, in common with all other moralists religious or philosophical, obedience to civil government, as one of the most essential duties of human life, the English church perhaps alone had solemnly pronounced, that in the conflict of obligations, no other rule of duty could, under any circumstances, become more binding than that of allegiance. Even the duty which seems paramount to every other, that which requires every citizen to contribute to the preservation of the community, ceased, according to their moral system, to have any binding force, whenever it could not be performed without resistance to established government. Regarding the power of a monarch as more sacred than the paternal authority, from which they vainly laboured to derive it, they refused to nations oppressed by the most cruel tyrants,* those rights of self-defence, which no moralist or lawgiver had even denied to children against unnatural parents. To palliate the extravagance of thus representing obedience as the only duty without an exception, an appeal was made to the divine origin of government, as if every other

* Interpretation of Rom. xiii. 1-7 ; South's Sermon, Nov. 5, 1663.

moral rule were not, in the opinion of all theists, equally enjoined and sanctioned by the Deity. To denote these singular doctrines, it was thought necessary to devise the terms of passive obedience and non-resistance; uncouth and jarring forms of speech, not unfitly representing a violent departure from the general judgment of mankind.*

* * * *

“ That no man can lawfully promise what he cannot lawfully do, is a self-evident proposition. That there are some duties superior to others will be denied by no one; and that when a contest arises, the superior ought to prevail, is implied in the terms by which the duties are described. It can hardly be doubted, that the highest obligation of a citizen is that of contributing to preserve the community; and that every other political duty, even that of obedience to the magistrates, is derived from, and must be subordinate to it. It is a necessary consequence of these simple truths, that no man who deems self-defence lawful in his own case, can by any engagement bind himself not to defend his country against foreign or domestic enemies. Though the opposite propositions really involve a contradiction in terms, yet declarations of their truth were imposed by law, and oaths to renounce the defence of our country were considered as binding, till the violent collision of such pretended obligations, with the security of all rights and institutions, awakened the national mind to a sense of their repugnance to the first principles of morality. Maxims so artificial and overstrained, which have no more root in nature than they have warrant from reason, must always fail in a contest against the affections, sentiments, habits, and interests, which are the motives of human conduct, leaving little more than compassionate indulgence to the small number who conscientiously cling to them, and fixing the injurious imputation of inconsistency on the great body who forsake them for better guides.

“ The war of a people against a tyrannical government may be tried by the same tests which ascertain the morality of a war between independent nations. The employment of force in the intercourse of reasonable beings, is never lawful, but for the purpose of repelling or averting wrongful force. Human life cannot lawfully be destroyed, or assailed and endangered for any other object than that of just defence. Such is the nature and such the boundary of legitimate self-defence in the case of individuals. Hence the right of the lawgiver

* Homilies of Edw. VI. and Eliz.; Parl. Hist. July 20, 1683; Act of Uniformity, 14. c. 11. c. 3, 4; 13. ch. 11. st. ii. c. 1.

to protect unoffending citizens, by the adequate punishment of crimes : hence also the right of an independent state to take all measures necessary to her safety, if it be attacked or threatened from without ; provided always that reparation cannot otherwise be obtained, that there is a reasonable prospect of gaining it by arms, and that the evils of the contest are not probably greater than the mischiefs of acquiescence in the wrong ; including, on both sides of the deliberation, the ordinary consequences of the example, as well as the immediate effects of the act. If reparation can otherwise be obtained, a nation has no necessary, and therefore no just cause of war ; if there be no probability of obtaining it by arms, a government cannot, with justice to their own nation, embark in war ; and if the evils of resistance should appear on the whole greater than those of submission, wise rulers will consider an abstinence from a pernicious exercise of right as a sacred duty to their own subjects, and a debt which every people owes to the great commonwealth of mankind, of which they and their enemies are equally members. A war is just against the wrong-doer, when reparation for wrong cannot otherwise be obtained ; but it is then only conformable to all the principles of morality, when it is not likely to expose the nation by whom it is levied to greater evils than it professes to avert, and when it does not inflict on the nation, which has done the wrong, sufferings altogether disproportioned to the extent of the injury. When the rulers of a nation are required to determine a question of peace or war, the bare justice of their case against the wrong-doer, never can be the sole, and is not always the chief, matter on which they are morally bound to exercise a conscientious deliberation. Prudence in conducting the affairs of their subjects is, to them, a part of justice.

“ On the same principles, the justice of a war made by a people against their own government must be examined. A government is entitled to obedience from the people, because, without obedience, it cannot perform the duty, for which alone it exists, of protecting them from each other's injustice. But when a government is engaged in systematically oppressing a people, or in destroying their securities against future oppression, it commits the same species of wrong towards them, which warrants an appeal to arms against a foreign enemy. A magistrate who degenerates into a systematic oppressor, shuts the gates of justice on the people, and thereby restores them to their original right of defending themselves by force. As he withholds the protection of law from them, he forfeits his moral claim to enforce their obedience by the authority of law. Thus far civil and

foreign war stand on the same moral foundation. The principles which determine the justice of both against the wrong-doer, are indeed throughout the same. But there are certain peculiarities of great importance in point of fact, which in other respects permanently distinguish them from each other. The evils of failure are greater in civil than in foreign war. A state generally incurs no more than loss in war. A body of insurgents is exposed to ruin. The probabilities of success are more difficult to calculate in cases of internal contest, than in a war between states, when it is easy to compare those merely material means of attack and defence, which may be measured or numbered. An unsuccessful revolt strengthens the power and sharpens the cruelty of the tyrannical ruler, while an unfortunate war may produce little of the former evil, and of the latter nothing. It is almost peculiar to intestine war, that success may be as mischievous as defeat. The victorious leaders may be borne along by the current of events, far beyond their destination; a government may be overthrown which ought to have been repaired; and a new, perhaps a more formidable tyranny may spring out of victory. A regular government may stop before its fall become precipitate, or check a career of conquest, when it threatens destruction to itself. But the feeble authority of the chiefs of insurgents is rarely able in the one case to maintain the courage, in the other to repress the impetuosity, of their voluntary adherents. Finally, the cruelty and misery incident to all warfare are greater in domestic dissension than in contests with foreign enemies. Foreign wars have little effect on the feelings, habits, or condition of the majority of a great nation, to most of whom the worst particulars of them are unknown. But civil war brings the same or worse evils into the heart of a country, and into the bosom of many families: it eradicates all habits of recourse to justice and reverence for law; its hostilities are not mitigated by the usages which soften war among nations; it is carried on with the ferocity of parties, who apprehend destruction from each other; and it may leave behind it feuds still more deadly, which may render a country depraved and wretched through a long succession of ages. As it involves a wider waste of virtue and happiness, than any other species of war, it can only be warranted by the sternest and most dire necessity. The chiefs of a justly disaffected party are unjust to their fellows and their followers, as well as to all the rest of their countrymen, if they take up arms in a case, where the evils of submission are not more intolerable, the impossibility of reparation by pacific means more apparent, and the chances of obtaining it by arms greater than

are necessary to justify the rulers of a nation towards their own subjects, for undertaking a foreign war. A wanton rebellion, when considered with the aggravation of its ordinary consequences, is one of the greatest of crimes. The chiefs of an inconsiderable and ill concerted revolt, however provoked, incur the most formidable responsibility to their followers and their country. An insurrection rendered necessary by oppression, and warranted by a reasonable probability of a happy termination, is an act of public virtue, always environed with so much peril as to merit admiration.

“ In proportion to the degree in which a revolt spreads over a large body, till it approaches unanimity, the fatal peculiarities of civil war are lessened. In the insurrection of provinces, either distant or separated by natural boundaries, more especially if the inhabitants, differing in religion and language, are rather subjects of the same government, than portions of the same people, hostilities, which are waged only to sever a legal tie, may assume the regularity, and in some measure, the mildness of foreign war. Free men carrying into insurrection those habits of voluntary obedience to which they have been trained, are more easily restrained from excess by the leaders, in whom they have placed their confidence. Thus far it may be affirmed, that insurgents are most humane where they are likely to be most successful. But it is one of the most deplorable circumstances in the lot of man, that the subjects of despotic governments, and still more those who are doomed to personal slavery, though their condition be the worst, and their revolt the most just against their tyrants, are disabled to conduct it to a result beneficial to themselves, by the very magnitude of the evils under which they groan; for the most fatal effect of the yoke is, that it darkens the understanding and debases the soul, and that the victims of long oppression, who have never imbibed any noble principle of obedience, throw off every curb when they are released from the chain and the lash. In such wretched conditions of society, the rulers may indeed retain unlimited power, as the moral guardians of the community, while they are conducting the arduous process of gradually transforming slaves into men; they cannot justly retain it without that purpose, or longer than its accomplishment requires; and the extreme difficulty of such a reformation, as well as the dire effects of any other emancipation, ought to be deeply considered, as proofs of the enormous guilt of those who introduce any kind or degree of unlimited power, as well as of those who increase by their obstinate resistance the natural obstacles to the pacific amendment of evils so tremendous.

“ The frame of the human mind, and the structure of civil society, have adapted themselves to the important differences between civil and foreign war. Such is the force of the considerations, which have been before enumerated ; so tender is the regard of good men for the peace of their native country, so numerous are the links of interest and habit which bind those of a more common sort to an establishment, so difficult is it for the bad and bold to conspire against a tolerably vigilant administration ; the evils which exist in moderate governments appear so tolerable, and those of absolute despotism so incorrigible, that the number of unjust wars among states, unspeakably surpasses those of wanton rebellions against the just exercise of authority. Though the maxim, that there are no unprovoked revolts, ascribed to the Duc de Sully, and adopted by Mr Burke,* cannot be received without exceptions, it must be owned, that in civilized times mankind have suffered less from a mutinous spirit, than from a patient endurance of bad government.

“ Neither can it be denied, that the objects for which revolted subjects take up arms, do in most cases concern their safety and well-being more deeply than the interests of states are in general affected by the legitimate causes of regular war. A nation may justly make war for the honour of her flag, or for dominion over a rock, if the one be insulted, and the other be unjustly invaded, because acquiescence in the outrage or the wrong may lower her reputation, and thereby lessen her safety.” (This appears to me, to say the least, a very doubtful position—but it does not at all interfere with the justness and force of the illustration.) “ But if these sometimes faint and remote dangers justify an appeal to arms, shall it be blamed in a people, who have no other chance of vindicating the right to worship God according to their consciences, to be exempt from imprisonment and exaction at the mere will and pleasure of one or a few, to enjoy as perfect a security for their persons, for the free exercise of their industry, and for the undisturbed enjoyment of its fruits, as can be desired by human wisdom under equal laws and a pure administration of justice ? What foreign enemy could do a greater wrong to a community, than the ruler who would reduce them to hold these interests by no higher tenure than the duration of his pleasure ? What war can be more necessary than that which is waged in defence of ancient laws and venerable institutions, which, as far as they were suffered to act, had for ages approved themselves to be the guard of

* Le Ecluse Mem. de Sully. Burke's Thoughts on the present Discontents.

all these sacred privileges, the shield which protects reason in her fearless search of truth, and conscience in the performance of her humble duty to God ; the spur which rouses to the utmost every faculty of man ; the nursery of genius and valour ; the spur (stay ?) of probity, humanity, and generosity.

“ It is needless on this occasion to moot the question, whether arms may be as justly wielded to obtain as to defend liberty. It may, however, be observed, that the rulers who obstinately persist in withholding from their subjects securities for good government, obviously necessary for the permanence of that blessing, generally desired by competently informed men, and capable of being introduced without danger to public tranquillity, appear thereby to place themselves in a state of hostility against the nation whom they govern. Wantonly to prolong a state of insecurity, seems to be as much an act of aggression as to plunge a nation into that state ; when a people discover their danger, they have a moral claim on their governors for security against it. As soon as a distemper is discovered to be dangerous, and a safe and effectual remedy has been found, those who withhold the remedy are as much morally answerable for the death which may ensue, as if they had administered poison.”—*A View of the Reign of James II. from his Accession, to the Enterprize of the Prince of Orange*, Chap. X. pp. 293–302. 4to. Lond. 1835.

JONATHAN DYMOND.

After perusing these able and eloquent defences of the Right of Resistance, it may be interesting to the reader to consider the views of an enlightened member of the Society of Friends, who conscientiously disapproves of such resistance, not in so much as it is directed against the civil power, but in as much as, in his opinion, *violence*, in opposition to any power, is incompatible with the strictness of the Christian law, and the purity of the Christian character.

“ Submission to government is involved in the very idea of the institution. None can govern if none submit : and hence is derived the *duty* of submission, so far as it is independent of Christianity. Government being necessary to the good of society, submission is necessary also, and therefore it is right. This duty is enforced with great distinctness by Christianity. The great question therefore is, whether the duty be absolute and unconditional ; and if not, what are its limits, and how are they to be ascertained.

“ *Specific* rules respecting the extent of civil obedience not being found in Scripture, we must ascertain this extent by the general du-

ties which Christianity imposes on mankind, and by the general principles of political truth. Referring then to political truth, it is to be remembered that governors are established not for their own advantage, but for the people's. If they so far disregard this object of their establishment, as greatly to sacrifice the public welfare, the people (and consequently individuals) may rightly consider, whether a change of governors is not dictated by utility ; and if it is, they may rightly endeavour to effect such a change by recommending it to the public, and by transferring their obedience to those who, there is reason to believe, will better execute the offices for which government is instituted. I perceive nothing unchristian in this.

“ The lawful means of discouraging or promoting an alteration of a government, must be determined by the general duties of Christian morality. There is nothing in political affairs, which conveys a privilege to throw off the Christian character : and whatever species of opposition or support involves a sacrifice, or suspension of this character, is for that reason wrong. Clamorous and vehement debates and harangues—vituperation and calumny—acts of bloodshed and violence—or instigations to such acts, are, I think, measures in which the first teachers of Christianity would not have participated ; measures which would have violated their own precepts ; and measures, therefore, which a Christian is not at liberty to pursue.

It is by no means certain, that Christian opposition to misgovernment would be so ineffectual as is supposed. Nothing is so invincible as determined non-compliance. He that resists force, may be overcome by greater force ; but nothing can overcome a calm and fixed determination not to obey. Violence *might* no doubt slaughter those who practised it, but it were an unusual ferocity to destroy such persons in cool malignity. Courage is not indicated most unequivocally by wearing swords, or wielding them. Many who have courage enough to take up arms against a bad government, have not courage enough to resist it by the unbending firmness of the mind, to maintain a tranquil fidelity to virtue in opposition to power, or to endure with serenity the consequences which may follow. The most severely persecuted body of Christians which this country has in later ages seen, was a body who never raised the arm of resistance. They wore out that iron rod of oppression, which the attrition of violence might have whetted into a weapon that might have cut them off from the earth ; and they now reap the fair fruit of their principles, in the enjoyment of privileges from which others are still debarred.”—*Dymond's Essays*, Essay III. Chap. 5. vol. ii. pp. 61-63.

JUS POPULI.

Resistance to Tyranny not inconsistent in Christians.

“ Conceive that the major part of the patricians and plebeians, all over the Roman empire, are converted to the faith of Christ ; conceive that Domitian (whose claime is by the law past to his father), hates Christianity, and being incited by his soothsaying priests, his concubines, and parasitical libertines, to eradicate true religion, and enrich himselfe by the great spoyle of the professors thereof, sets up such an idol, and makes such an edict for the general adoration thereof, as the Persian monarch once did. Conceive that the Christians, both senators and plebeians, petition for their lives, but are rejected, and seeing a number of assassins armed ready to rush upon them, betake themselves to their defence, and rely upon forcible resistance. Conceive, further, that they first acquaint Domitian with their resolutions, and thus publish the justice thereof.

“ ‘ May it please your sacred Imperiall Majesty, the peaceable and gentle principles of our pure religion teach us rather to suffer moderate wrongs from private hands, than to offer the least injurious violence to princes. Neverthelesse since (after all our vain supplications) we see ourselves remorselessly designed to a general massacre, for not obeying you against God : and since you expect that we should tamely surrender not only our estates, and such other rights as are in our arbitrary disposition, but our lives also, and the gospel itself (of neither whereof wee are masters at discretion), forasmuch also as we being the major part of the state, and virtually that whole community from which you derive your commission, and for whose behoof alone, you are bound to pursue that commission, and not to decline from the main intendment of it : and whereas farther, wee have not so totally divested ourselves by intrusting you with power, but that we are to give some account to God, and the law, if wee oppose not general subversion when wee may, especially we being now farther intituled to defence by the extraordinary law of general necessity (of the benefit of which iron law particular men are not wholly abridged), we are compelled hereby to protest and remonstrate to all the world, that we take now up these our just arms only for defence to secure our lives, liberties, and religion, against the bloody emissaries which, indeed, from your undue warrant, can derive no authority ; and not to bridle any just authority of yours, or to attempt any thing against that idolatrous devotion which hath hitherto been established by law.

And because we impute it to the wretched falsities and artifices of calumniators, that your Majesty is incensed against us and our religion, and misinformed of our intentions: we crave leave further to declare, that though we are free men, and not slaves, and have some share in empire itselfe, and are not mere subjects, will yet continue in the same obedience as our ancestors payd you for peace sake, if we be not driven to extremities. And as to our religion, it is no other than a holy blessed law revealed from heaven, presented for the good of all immortall rationally creatures, more beneficial to princes than paganisme, and such as without diminution of power you may submit to, and cast down your crowne before. In the like manner, also, it will concern your imperiall office rather to protect us, than those who seek our subversion, as being the greater and nobler part of the empire, and better devoted to your person and crowne than they are. Neither is it distrust in our own numbers, forces, or advantages, that draws these lowly, loyal expressions from us, nor is it any doubt in our cause: for Christianity does as much lift up the heart in a just war, as it does weaken the hands in unjust enterprize; and the world shall see it is as far from transforming us into asses as into wolves. Prefer your sacred eares, therefore, we pray you, from the suggestions of our enemies, and the abusers who may render us in your thoughts either absolutely disloyal, or bestially servile, and do usually traduce our religion as being utterly inconsistent either with duty or magnanimity. Let it be a confutation to them at this present, that we doe neither derogate in this case from your majestic's prerogative, nor utterly renounce our own interests: and yet that we doe rather fore-judge ourselves, inasmuch as though we do not disclaim, yet we forbear to claime a right of establishing true religion and abolishing idolatry; as also, of bringing your seducers to condigne punishment. And thus far we condescend in all humility for our blessed religion's sake, that that may be liable to no aspersions, as if it had any causality in this war, and that you may receive the better apprehension and relish of the profession, from the humble comportment of the professors. It is not in us to set an end to these broyles, because we have no prevalence with you to gain just satisfaction from you, but it is in you to quiet our party in regard that we fight not now for a well-being, but a meer being: not that paganisme may be subverted, but that Christianity may subsist: all our conditions are entirely in your owne hands, and they speak no more but this—let us have hopes to remaine safe, and you shall have assurance to remaine Cæsar.'

“ If his Grace of Armagh like not this remonstrance, let him frame an answer to it, and in so doing, he shall appear a profounder scholar, a more judicious statesman, a more peaceable patriot, a more godly preacher, than his last sermon upon the thirteenth chapter of the Epistle to the Romans did show him.”—*JUS POPULI; or, a Discourse wherein clear satisfaction is given as well concerning the Right of Subjects, as the Right of Princes: showing how both are consistent, and where they border one upon the other; as also what there is divine and what there is humane in both; and whether is of more value and extent.*—pp. 63–65. 4to. Lond. 1664.

The author of these spirit-stirring paragraphs was obviously not so thoroughly indoctrinated as Milton, Vane, and Nedham, in the entire distinctness of things sacred and civil—but his *tractate*, which created a great sensation at the time of its publication, and I rather think had the honour at the Restoration of being burned by the hands of the common executioner, is richly deserving of a careful perusal. It has been ascribed, obviously in mistake, to MILTON.

NOTE XXV.

SENTIMENTS AND FEELINGS IN REFERENCE TO ESTABLISHMENTS, AND THEIR SUPPORTERS.

I am pleased with this opportunity of making another attempt, clearly to state the views and feelings entertained by me, in common with the great body of my “brethren and fellow-soldiers,” the Voluntary-churchmen, respecting Established churches and their component parts, *lay* and *clerical*, as they like to phrase it;—views and feelings which I believe are sometimes misapprehended—which I know are often misrepresented. We make a distinction between a civil Establishment, and the church, which is the subject of it. The first we unreservedly condemn as unscriptural, unjust, and impolitic, in all its forms. In the second, we see much, which commands our respect and fixes our affection. Into the question, how far any Established church corresponds, even in essentials, to the churches of Christ, as described in the New Testament—it is not my intention at present to enter.* It is certain that in both the

* The following remarks of GRAHAM, one of the ablest writers on the subject of civil establishments of religion, who had “the honour of making the first

Established churches of this country are to be found many individuals—God increase their number a thousand-fold—who are the very materials of which Christian churches should be formed. At the same time we cannot shut our eyes to the fact, that the immense ma-

grand systematic attack on the principle on which these monopolies are founded," and whose work deserves a much wider circulation than it has ever yet met with, are worthy of attention, especially from those pious persons who have become connected with these institutions, and continue connected with them, without having ever carefully considered their true character.

"Though it be admitted, that the true church of Christ may subsist in national churches, this does not prove that these, as such, are true churches. If a nation or an empire forms itself into a peculiar mixed species of society ; governs itself by a peculiar body of laws, adapted to the peculiarity of its constitution, and pursues designs quite foreign, or sometimes opposite to the noble purposes for which the kingdom of Christ was erected ; it cannot be called, without a gross abuse of language, the ' kingdom which is not of this world.' If the designs of its erection, the manner of its administration, and the purposes which it pursues—be political, it is so far a civil society to all intents and purposes. And such is every national church. The incorporating charter on which she stands supposes it. And the penal laws annexed to it are directly aimed at the *true* and *genuine* church of Christ, lurking in the nation, or perhaps in her communion. Yes : they mean nothing, unless they import that no other church of Christ subsists, or ought to subsist in the nation, besides that society which is established by law for attaining the political ends of civil government ; and that no authority, human or divine, is or ought to be acknowledged, as obligatory on the conscience, besides that which has bestowed the incorporated charter.

"Thus are men cheated out of their religion. Religion consisteth not so much in paying a regard to the doctrines and laws of Christianity, as in paying that respect *formally* on account of the authority of Christ *alone*, enjoining that respect as a proof of cordial subjection to him as the only King of Zion, who hath or ought to have authority in his own kingdom. But in all national churches, political authority walks forth with solemn awful pace, and demands faith in Christ, and obedience to him, *as a debt due to it*, as a proof of the subjection of the conscience to its commands, and as a *legal condition* of enjoying the common rights of men and citizens. Its language is, 'To you it is commanded, O nations, people, and languages, that at what time ye hear the sound of the state music, and the thunder of the executive powers, ye fall down and worship the golden image which legislation hath set up.' Meanwhile, what the Christian church gains of worldly grandeur by incorporations, she loseth of spiritual glory. Though the most exact uniformity should prevail ; though the most punctual obedience should be yielded to the established system ; yea, though *it* were altogether unadulterated ; yet there is no *visible test* by which it can be known to MEN, whether the authority of Christ or of the legislature contributes most to this uniformity ; whether such an ecclesiastical nation is a society of idolaters

jority of those connected with them, are attached to them from worldly motives—are supporting ‘a secular institution from secular principles, for secular ends.’ With these last, in their alarms about the danger of their idol, we cannot sympathize. For the former, many of whom, in consequence of mistaken ideas respecting the nature of Christ’s kingdom, are honestly trembling for the ark of God, and consider, however unreasonably, the dissolution of Establishments and the destruction of Christianity as, if not identified, at least closely connected, we entertain very different feelings. For these men we cherish a Christian affection, and would gladly disabuse them of their unfounded fears.

It is our full persuasion, that as *churches*, both the Scottish and the English Establishments would be prodigiously improved in purity, activity, and usefulness, by being disjoined from the state; and in endeavouring to obtain that disjunction, we seek not their ruin but their prosperity. While we cannot help being of opinion that the ministers who are chosen by the flocks they feed—solemnly set apart by the eldership of the churches to which they belong, and maintained by the voluntary contributions of the people they instruct, come nearest to the primitive bishops; yet we rejoice to see so large, and as we are willing to believe, so rapidly increasing a body of able and faithful preachers of the gospel in these churches, though we have no faith in the powers, which the one of these establishments seems to ascribe to the hands of a prelate, nor in the virtue which both suppose to reside in state sanction and support—and think the want of regular choice by the people to whom they minister, must go much farther to invalidate the pastoral character, than the want of Episcopal ordination; and to impede ministerial usefulness, than the want of civil endowment.

We regret, though we do not much wonder at, the breaking up of almost every thing like friendly co-operation, even in common causes, which has taken place on the part of our brethren in the Establishments. We are determined, so long as they do not make it impossible, to cherish towards them the feelings of brethren, and to look

and hypocrites, or of Christians and saints. True Christians in such a society are like the seven thousand in the days of Elijah. They pay an *invisible*, though sincere regard to the authority of Christ, amid a countless crowd of idolaters, who, while professing the same faith, and practising the same modes of worship, are visibly bowing the knee to civil authority alone.” *Graham’s Review of Ecclesiastical Establishments in Europe*, Chap. IV. Sect. I. pp. 89–91. Glasgow, 1792.

forward to a period when, even here, we may yet meet still more agreeably, and co-operate still more cordially, than we were accustomed to do in days that we will ever look back to with pleasure; and should this expectation not be realized, we have a yet more "glorious hope," which we know will not make us ashamed, if on solid grounds we really cherish it, of meeting those brethren in Christ from whom, through imperfection cleaving to both sides, we have been separated for a season—in the world of perfect light, and love, purity and peace,—where, if there is regret or shame at all, it will be, if when the Great Master inquires, "what was it ye disputed about by the way?"—we be obliged to reply, that it was "which of us should be the greatest."

Meanwhile, to borrow the words of two of the ablest advocates of our cause, "we will acknowledge with cordial delight every excellence that appears in the Established churches,—hail with joy every symptom of improvement which they exhibit, and pray for their prosperity, as we pray for our own. Doing homage to this divine appointment, 'whereunto we have already attained let us walk by the same rule, let us mind the same thing,' we will co-operate with them, if they will co-operate with us in every good undertaking, which regard to consistency of principle will allow. And 'we will not suffer ourselves' to doubt that, although in the progress of the discussions that have begun, there will be, to a considerable extent, a collision of feeling, as well as of opinion; the Redeemer's prayer shall prove more powerful than the passions of his weak and imperfect followers, and the delightful consummation for which he makes intercession shall be accomplished, that they all may be one, as thou, Father, art in me, and I in thee, that they also may be *one* in us, that the world may believe that thou hast sent me."*—"For a time it is to be feared there must be conflict and confusion, but from disorder, order will arise. The stream of public opinion, so tranquil in its onward progress, is originally formed of many opposing currents: But, as at the junction of two mighty rivers, though all for a time, amid the conflicting and intermingling waters, be uproar and confusion, at last they find a common issue, determined by the proportion of their respective forces, and with calm and unresisted majesty, form a passage to the sea."†

* Heugh's Considerations on Civil Establishments of Religion, p. 96. Glasgow, 1833.

† Douglas' Address at the Jedburgh Voluntary Church Meeting.

I am loath to turn away from such a delightful anticipation ; but it seems desirable, before closing, to say a word or two about the Endowment question, which is now exciting so much interest,—respecting which

“ *Iliacos intra muros pugnatur et extra.*”

which is summoning the host of voluntaries to ward off the blow which, with heartier purpose than good aim, is directed against them, and which is likely, however settled, to try the stability of the existing Administration.

There is, there long has been, much spiritual destitution in this country. How did it originate—how has it been perpetuated ? Principally by the unfaithfulness or moral inadequacy of the Established Church. Originally it was not the want of instructors, but of instruction,—in some cases of instruction altogether, in many more of wholesome instruction, that occasioned the evil, and this is substantially the true state of the case still.* It is not long ago when the evange-

* A picture of the state of the Lowland country parishes of Scotland, as to their supply of the means of wholesome religious instruction, taken nearly twenty years ago, may be interesting to the reader. It will be found a likeness still.

“ It is stated with perfect confidence, and with sincere satisfaction, that a considerable number of this class of parishes, are in a most enviable situation, as to the means of religious instruction. There are parishes, not a few, where the parochial clergyman is just what a minister of Jesus Christ ought to be, ‘ an example of the believer in word, in conversation, in charity, in spirit, in faith, and purity ; watching over the souls of his flock as one who knows that he must give an account, preaching the word, instant in season and out of season, reproving, rebuking, and exhorting, with all long-suffering and doctrine.’ There are such men in the Established Church,—we know them ; and though we follow not with them, we bid them God speed, and ‘ esteem them very highly in love, for their work’s sake.’

“ ‘ But, are all such pastors ? would to heaven all were !’ The truth is, however, far otherwise. I say nothing but what every serious, well-informed member and minister of the Scottish Church must admit, with whatever regret, when I state, that the majority of the parochial clergy, even in the Lowland districts, come far short of what might be justly expected of them, as religious instructors and Christian pastors.

“ At no period, perhaps, in the history of the Scottish Church, was gross error generally taught from her pulpits ; and certainly, in this point of view, things are in a state of improvement rather than of deterioration. The instances are comparatively rare, in which the doctrines of Socinus, Arius, or Pelagius, are distinctly inculcated by any of the established clergy. But that, in some instances, these dangerous heresies are covertly taught, and

lical party of the Establishment would have very readily acknowledged that much more than a moiety of their clergy were not, either in doctrine or in pastoral labours, what Christian ministers ought to be.

What would have been the amount of this destitution but for the Dissenters? In many a dark district of our land, a few poor Christian men, finding that they could not comfortably exist without the bread and water of life, combined their scanty resources, built a humble place of worship, and a corresponding mansion for a pastor, and secured for themselves a regular administration of Christian ordinances. To their neighbours they said, You are welcome to enjoy the same advantages as we do, if you are disposed to cast in your lot with us;—and if not, you are welcome to occupy seats in our place of worship, as long as there are any to occupy.

These places multiplied and filled the land,—and what was the Established Church doing all the while? Frequently opposing such attempts, which their neglect had made necessary, but, as a church, doing absolutely nothing to meet the evil which, from the growing population of the country, was every year becoming greater. A few Chapels of Ease were indeed established, but these were not the work of the Church—they were the work of individuals who had much difficulty, in many cases, to obtain permission from the Church to form communities so closely resembling Dissenting congregations.

At last, however, when the Dissenting places of worship had, during a century, grown to nearly eight hundred, and the Established Churches during that period had, in certain districts, if not over the country generally, rather diminished than increased in number,—some wise men of the Established Church made the discovery, that,

that, in many others, an extremely extenuated system of doctrine and morals, takes the place of ‘the whole counsel of God,’ there is no room to doubt. There are not only many parishes, but there are large districts of country, where a full, and pure dispensation of divine truth, from the pulpits of the establishment, is unknown; and when to this is added, as it must be, that the duties of pastoral inspection, visitation, and catechising, are either entirely neglected, or very perfunctorily performed; while the minister, exhibiting few evidences of personal piety, if not marked by positive immoralities, is entirely occupied by secular pursuits, it is easy to perceive that if this state of things prevail in many of the Lowland parishes of Scotland (and whether it does or not, we are willing to refer to the decision of any well-informed and candid man, of whatever persuasion), a large portion of their inhabitants must, so far as the established system of religious instruction is concerned, be in a very destitute condition indeed.”

if government would but furnish them with funds, they could soon so multiply ministers as that, without any assistance from the Dissenters, the population should at least not want a sufficient number of instructors, forgetful apparently, that unless means could be found for permanently improving the quality of these instructors, the increase of their number would be but a very questionable benefit. That their design is rather to multiply instructors—than to increase instruction, is obvious; for instead of confining themselves to those portions of our land which, from a variety of circumstances, are still but imperfectly supplied with the means of religious instruction, they have turned their attention first, to those places where dissent chiefly flourishes; and have, in many situations, fixed on a site for a new church, where no probable reason for the choice could be assigned but that it was in the neighbourhood of a Dissenting place of worship.

The scarcely concealed object of the plan is to put down dissent,—that is, to supplant a system of religious instruction which their own criminal neglect made necessary, and which, without burden on the public, is answering in a degree fully equal to every reasonable expectation, its great ends,—by a system which, judging from the past, cannot be relied on—a system which, while it involves the country in a permanent heavy expense, cannot be established without injuring the property of those who, to promote the spiritual benefit of themselves and their brethren, have expended large sums in buildings and otherwise, and cannot be established in the desired extent without materially trenching on the comforts of ministers who have devoted themselves to the service of Christ in the Dissenting churches.

A plan more replete with injury and insult to a set of men who, by their assiduous labours, have deserved well of their country, and who are guilty of no crime but that they are not of the Established Church, was never formed. Some who assisted in the formation of this scheme, and many who have taken a part in forwarding its execution, looking so entirely at “their own things,” as completely to overlook “the things of others,” have been, I am persuaded, but partially, if at all aware of some of its tendencies; but with regard to others, we do them no wrong when, believing their own avowal, we assert, that the annihilation of dissent is their object,—an object which cannot be extensively prosecuted, much less gained, without an amount of unprovoked personal injury, and irreparable public disadvantage, which it is impossible to calculate. The Voluntaries never dreamed of doing any thing like this. Though persuaded, on the testimony of their own brethren, that more than a half of the clergy of the Establishment

were not efficient Christian pastors, they never thought, even had they the power, of depriving one of these clergy during his life of the emoluments of the office, whose duties he had never performed; but only proposed that as they dropped, another system, less expensive to the country, and more effective for the purposes of general Christian instruction, should gradually take place.

‘But a great reformation has taken place in the Church.’ We are glad to hear it: we trust that, to a certain extent, it is so. But fear and anger are suspicious principles of reform, and cannot at once transmute a careless ministry into exemplary Christian pastors. Even though we had no conscientious objections to the extension of the Establishment, we would be disposed to try this new-born zeal for a few years, before we reposed additional confidence in those who have already so strangely disappointed reasonable expectation.

The power of the Voluntary principle within the Established Churches, is a most cheering consideration. Let it become somewhat more energetic, and let it prove itself steady, and additional endowments will soon be seen to be utterly unnecessary. This is one of the pleasing symptoms that Providence is ripening the Churches burdened with Establishment, for emancipation; and that a crisis, which every one who is not blind, sees fast approaching, may likely pass without even temporary injury, while it must be followed by great permanent advantage to both these religious bodies.

In the mean time, we feel not only warranted but bound to oppose by all constitutional methods,* the measure which the mistaken

* Among these constitutional means, petitioning the legislature is one, and I think it right to insert here a petition presented by the congregation of Broughton Place, in the year 1835, as containing within narrow limits a view of the whole case of Endowments.

“To the Honourable the COMMONS OF GREAT BRITAIN AND IRELAND, in Parliament assembled, the PETITION of the Subscribers, the Minister, Elders, Members, and Hearers, of the United Associate Congregation, Broughton Place, Edinburgh;

“Humbly Sheweth,

“That your petitioners having heard that application has been made to your Honourable House for a grant of money from the public revenue to build and endow New Churches in connexion with the Establishment in this country, beg leave respectfully to express their strong conviction that the proposed measure is unnecessary, unjust, and impolitic—and their earnest request and confident hope, that your Honourable House, by refusing to sanction it, will prevent the evils which must result from its adoption.

friends of the Established church are endeavouring, by the unscrupulous use of very questionable means, at present to carry. As CITIZENS who wish the good of the commonwealth, we are decidedly hos-

“ That your petitioners most cordially approve of the *avowed* object of this measure,—which is to supply with the means of religious instruction those of our countrymen who are destitute of them, and beg leave to state what, under the influence of this sentiment, they have done and are doing towards the gaining of so desirable an end. In the year 1820, they, without any assistance, built the place of worship where they observe the ordinances of religion, in a district of the city at that time entirely destitute, so far as the Establishment was concerned, of adjacent church accommodation, at an expense of more than £7000; and besides the support they individually give to Bible, Missionary, and other Religious Societies, which is not less than that of their brethren in the Establishment, they, as a congregation, are annually expending, on the maintenance of the ministry and ordinances of the Gospel, the support of their poor, and the extension of Christianity at home and abroad, about £1400.* Your petitioners advert to these facts for the purpose of showing that their opposition to this measure does not originate in hostility to, or carelessness about, its *avowed* object.

“ That your petitioners most decidedly disapprove of the *real* object of the measure—which is to extend the Established Church of Scotland, so as to afford accommodation in connexion with it, for the whole population of the country, by a grant of public money,—for the following, among other reasons :—

“ (1.) Because, they consider it equally unjust and impolitic, to devote public funds to the maintenance of any one religious denomination.

“ (2.) Because, being conscientiously dissatisfied with the Establishment, and being already heavily taxed for its support,—many of them being compelled to pay for that purpose a sum larger than that which they voluntarily contribute to the maintenance of their own religious institutions—they must count it hard, if, instead of being delivered, as they conceive they ought to be, from an unjust exaction, they should have more money extorted from them to extend a system (*viz.* the compulsory support of religion), of which they disapprove as unscriptural, unwise, and iniquitous.

“ (3.) Because, with some local exceptions, accommodation for that portion of the population who can be expected to attend public worship, is already abundantly provided in this country, though the applicants, most disingenuously in reference to the legislature, and most insolently in reference to the Dissenters, have endeavoured to keep this out of view, by merely stating the accommodation afforded by the churches connected with the Establishment.

“ (4.) Because the Members of the Established Church, being confessedly the most wealthy portion of the community are able—and being, according to their own account, the most religious portion of the community, must surely be willing—to provide church accommodation for themselves, and for such as choose to worship along with them.

* During last year the sum raised and expended exceeded £1700.

tile to additional endowments. Convinced that that portion of the public funds by which an Established Church is supported is misappropriated, in being devoted not to civil objects of common interest to all the citizens, but to a purpose not merely professedly religious,

“(5.) Because the scarcely disguised design of this measure, the annihilation of Dissent, is not only impracticable by such means, (inasmuch as the cause of Dissent is not the difficulty of finding accommodation in the Established Churches—no such difficulty existing, as in comparatively very few cases are these churches filled, and in many cases they are half empty—but conscientious dissatisfaction, either with the constitution or administration of the Establishment),—but could not be realized by any means, without destroying property to a very large amount, which has been fixed in buildings erected by Dissenters for public worship,—the necessity of the erection of which, in most cases, has originated in the Establishment either having neglected to furnish the means of instruction to a growing population, or failed to afford such instruction as the people could conscientiously receive,—nor without reducing to destitution the ministers of the Dissenting Congregations, who have devoted themselves to the supply of wants principally occasioned, even according to their own statements, by the criminal negligence of the Established Clergy.

“(6.) Because the eight hundred dissenting places of worship, which it is the ultimate object of this measure to shut up, are, with fewer exceptions than could have been anticipated, serving the purpose of giving a wholesome and acceptable religious instruction to that portion of the population who attend them—without any expense to the public funds; while the Established Churches with which it is proposed to replace them, though entailing a heavy burden on the nation, would not, judging from the experience of the last century, be equally efficient for the great object which it is proposed to gain—the bringing the whole people under the influence of Christian truth. The result would be the giving a less satisfactory religious instruction to a smaller number; a worse state of things being thus produced, at a great expense to the country, than that which now exists.

“(7.) Because, in fine, it is in the highest degree iniquitous and cruel, not merely to impose on the Dissenters an additional fine for holding their conscientious opinions, but to extort that fine from them for the express purpose of being employed in the establishment of a system, which, should the sanguine expectations of its authors be realized, will render the property they have laid out on their places of public worship valueless, and destroy a cause which they regard as the cause of truth and of God.

“May it therefore please your Honourable House to withhold additional Endowments from the Church of Scotland, and thus avert the imposition of a tax insulting, as well as injurious, to Dissenters, and hazardous to the peace and comfort, of both religious and civil society in this country.

“And your Petitioners will ever pray.”

and with which, for that very reason, the civil power has nothing to do, but obviously sectarian—the aggrandisement of one class of religionists, at the expense and to the degradation of all other denominations of Christians, though equally good subjects,—we must consider the continued existence of the Establishment as a great national grievance; every new appropriation of the funds legally attachable for such purposes—in the augmentation of ministers’ stipends, or the endowment of new churches from the unexhausted tiends—we must consider as an additional grievance, and of course we must consider any successful attempt to lay hold on public funds, which, without a new enactment of the Legislature, cannot be employed for such a purpose, as a more intolerable grievance still. Objecting, on the principles of an enlightened political economy, to the Establishment, as a monopoly which never ought to have existed, and which ought to be put down with the least possible delay, consistent with public peace and private rights, we must protest against every attempt—equally opposed as it must be to reason, justice, and the spirit of the age—to extend and perpetuate its evils.

As CHRISTIANS, we feel ourselves not less strongly bound to oppose the extension of a system which is based on the usurpation of the inalienable rights of God, and the blood-bought prerogatives of his Son, directly repeals one of the leading ordinances of his kingdom,* renders impracticable the execution of many of his laws, and is almost equally hostile to the purity and to the diffusion of his religion—to the peace and to the enlargement of his Church. If, with these views, we are bound to seek the destruction of such a system, how much more must we be bound to resist its extension?

As DISSENTERS, we cannot shut our eyes to the fact, that the scheme is intended and calculated to injure, and if realized in the degree anticipated by its more sanguine supporters, to destroy the Voluntary churches, which, in our apprehension, are the only churches harmonizing in their constitution, with the will of the Great Head of the Church. The spirit which the scheme breathes is that distinctly expressed by an English advocate of Church extension—“As a system, Dissent is an evil greater than we can express, and if carried to the extent of the subversion of the national churches of England and Scotland, to say nothing of other Protestant churches, nothing but a direct special miracle, which we have no right to look for, more especially when we set aside the obvious means of grace, could prevent the ultimate extirpation of Christianity from the earth.”† I

* 1 Cor. ix. 14; Gal. vi. 6.

† Christian Observer.

cannot wonder at Churchmen, with these views, seeking the extension of the Establishment : And as our views are directly opposite—as we firmly believe that Establishment is an evil greater than we can express—and if carried on to the extent of the subversion of the Voluntary churches of England and Scotland, to say nothing of America, and other Protestant churches, nothing but a direct special miracle, which we have no right to look for, more especially when we set aside the obvious means of grace, could prevent the ultimate extirpation of Christianity from the earth ;—they should not wonder if, with these views, we oppose them. There is an important difference, however, between the objects we are respectively seeking. They seek the annihilation of our churches—we only seek the freedom and purity of theirs. We seek their prosperity—they seek our destruction. In defence of the great principles of truth, righteousness, liberty, and peace, embodied in the constitution of our Voluntary churches, we feel ourselves strongly bound, irresistibly impelled, to oppose every attempt to bring interests so precious into peril.

But it is not only as Citizens, as Christians, and as Dissenters, but also as WELL-WISHERS OF OUR CHRISTIAN BRETHREN CONNECTED WITH THE ESTABLISHED CHURCH—as friends to the true interests of that church, though just on that account inveterate foes to her establishment—that we feel bound to oppose additional endowments. We bear no ill will to the Church of Scotland—we have a cordial affection for many of her members and ministers ; and it is because we wish them both well, that we would, if we could, relieve them of their chains altogether, and, at any rate, do what we can to prevent them from being more extensively entrammelled. The freedom they possess, we wish to secure to them, in the hope that the little leaven will ere long leaven the whole lump. Our Christian friends in the Establishment were in the habit of telling us that their church needed reformation, and we believed them. They said that they were earnestly desirous of her reformation, and we did not call that in question either. But we have to tell them, that in seeking endowments, they are seeking,—and that in resisting endowments, we are resisting,—that which, instead of conducing to their church's reformation, would certainly produce her further deformation : and the evidence of this is at once so abundant and so accessible, that we wonder they do not perceive it, and for their own sakes go along with us in opposing these endowments.

The prosperity of a church must be in proportion to the efficiency of her ministers. It might be invidious to compare the endowed ministers of the Establishment with the unendowed ministers of the

Dissent, as to efficiency ; but surely there can be nothing invidious in such a comparison of the endowed clergy in the church, with the unendowed clergy in the church. Now, what is the proportion of the endowed clergy, who are, as to doctrine and pastoral superintendence, and general conduct, what Christian ministers ought to be ? If we may believe the evangelical party in the church, they, till very lately at any rate, constituted a very decided minority of that body. And what is the proportion of really efficient ministers among the unendowed clergy of the Establishment ?—I mean the ministers of what used to be called Chapels of Ease. With a very rare exception here and there, now and then, the great body of them deserve that character. The remark here made in reference to the Church of Scotland, is at least as applicable to the Church of England.

Here is a fact, then, which seems to settle the whole question, Whether additional endowments are calculated to promote the interests of the Established Church ? Are there so many very active ministers in the Church of Scotland, that it is desirable to reduce their number or diminish their diligence ? If there be, the getting endowments is the shortest and most effectual method of gaining this end. Our friends in the Establishment are indebted to Dissenters in many ways, and among the rest they are indebted to us for our attempt to prevent them getting the endowments—they will be still more indebted to us if we succeed in our attempt—and they will be most of all indebted to us when we gain the object we are labouring for, and are quite sure of ultimately gaining—their deliverance, entirely and for ever, from the burden of State endowment. That will do incomparably more for the purification of the church, stigmatized by the appellation, *civilly established*, than a hundred veto acts, though they were secured from being neutralized by the decision of a civil court, or even the abolition of patronage, if unaccompanied, which it is not likely to be, with the complete disseveration of the connexion between Church and State. There is no immediate prospect of our being able to do our friends in the Church so much good as we wish ; but that is no reason why we should not do what is in our power—show good-will, by endeavouring to prevent a measure which, while it would no doubt impose an additional burden on our shoulders, and throw additional obstacles in our way in doing good, would be permanent injury and increased degradation to them—blasting all the hopes of reformation which the late display of energy and zeal in voluntary exertions, has led the charitable of other denominations to indulge.

NOTE XXVI.

IMPORTANCE OF THE EXPOSITION OF SCRIPTURE, AND OUR DUTY
IN REFERENCE TO A DIVINE REVELATION.

I never enter on the exposition of a portion of inspired Scripture, without a conviction that in doing so I am performing one of the most important and responsible duties of my office as a public Christian teacher. I feel as if the ground on which I stood were peculiarly holy. It has always appeared to me, that it was comparatively a light matter to state generally my own views respecting any particular point of Christian doctrine or duty. If I have fixed opinions on any subject, I must know them and can readily express them. But in expounding Scripture I am declaring what, after using the best means in my power for ascertaining it, appears to me the mind of the Divine Spirit in a particular part of that word, all of which was given by his inspiration. My object is to bring the mind of man into direct contact with the mind of God; not merely to state truth—nothing but truth—but to state the truth in the defined form which it wears in that particular passage.

It cannot be wondered at if this feeling was peculiarly strong, when called in the providence of God to expound a portion of Scripture, which I have been publicly accused of grossly misinterpreting, and of giving substantial form to my misinterpretation in “a more flagrant violation of the Divine law than has often been exemplified.” I did not form my opinion of the meaning of this passage without serious inquiry—nor did I act on that opinion till I was fully satisfied of the soundness of the ground on which I stood. My honest wish was to know the meaning of this part of Christ’s law—and should I have misapprehended it, I shall account it no common favour if any man will put me right. But I must be convinced into a change of mind and alteration of conduct. I cannot be scolded into them.*

* “Nothing, I confess, is more nauseous to me, than magisterial dictates in sacred things, without an evident deduction and confirmation of assertions from Scripture testimonies. Some men write as if they were inspired, or dreamed that they had obtained for themselves a Pythagorean reverence. Their writings are full of strong authoritative assertions, arguing the good opinion they have of themselves, which I wish did not include an equal contempt of others. But any thing may be easily affirmed and as easily rejected.”—*Owen on the Sabbath. Exercit. 1. § 8.*

Nothing is more obviously irrational and impious than to refuse to acquiesce in the declarations, whether doctrinal or practical, of a plain, well-accredited divine revelation, on the ground that they do not accord with our previously formed notions of what is possible or what is proper; and nothing is more plainly right and reasonable than, with childlike simplicity, to receive the dictates of that all-perfect Mind, who is equally incapable of being deceived and of deceiving—who is the fountain of truth, and the source of knowledge. Chillingworth spoke the words of common sense as well as of piety when he said, “Propose me any thing out of this book, and require whether I believe it or no, and seem it never so incomprehensible by human reason, I will subscribe it with hand and heart, as knowing that no demonstration can be stronger than this, God hath said so, therefore it is true.” I do not know if there is any act of religious homage more becoming in man and more honourable to God, than thus humbling ourselves in the inmost sanctuary of our rational nature, and laying on His altar there, that “high thing,” of which the noblest spirits find it most difficult to make a sacrifice—intellectual independence.

Yet to render such an oblation, either becoming in man or acceptable to God, it must, like every other act of devotion, be “a reasonable service.” Before I bow to a principle, whether doctrinal or practical, as of divine revelation, I must be persuaded that it is a principle of divine revelation;—I must, in other words, apprehend its evidence and its meaning.

I must apprehend its evidence, otherwise my profession of belief in the Bible is no more homage to the *divine* authority, than the Mohammedan’s profession of belief in the Koran—or the Hindoo’s professed belief in the Shasters. In their case they take for granted the divine authority of works of imposture, and in my case I take for granted the divine authority of a genuine revelation, entirely on the unsupported testimony of man, and, of course, we are all equally in reality subjecting our minds, not to the rightful sovereignty of God, but to the usurped dominion of man. It may be the word of God which I am receiving, but to me, continuing ignorant of its evidence, it is but the word of man. A large proportion of professed faith in the Christian revelation, it is to be feared, is thus so far from subjection to the divine authority, that it is implied rebellion against it.

But before I can reasonably and acceptably yield the homage of implicit subjection to a principle or precept of divine revelation, I must not merely apprehend its evidence, but also its meaning. When

I meet with a passage in a well-accredited revelation which I do not understand, the farthest I can go reasonably—the farthest I ought to attempt to go—while things continue in this state, is a firm conviction that whatever it means is true and right—something which, if I understood, I ought to believe or do—a persuasion which, if sincere, will urge me to employ all the means in my power to discover its meaning. But I must not in these circumstances do what is often done—surrender my understanding into another man's hands, and receive his explanation of the passage as the true one, unless he is able to make it distinctly out to my mind that it is so. It is to the word of God, and not to man's explications of the word of God, that I am bound to do homage. Human explications are, in their own place, useful and excellent things, but out of their own place they are most mischievous things. Their use is not to furnish us with what we are to believe—but to place in a clear and satisfactory light the meaning and evidence of that divine word which should at once be the rule and the reason of our faith and duty. The man who takes for granted, without examination, human explications of a revelation, which on satisfactory evidence he has received as divine, is in effect as much an idolater of human authority, as if he had embraced the revelation without any inquiry into its evidence at all.*

There has been, and still is, on the part of some human expositors, an assumption of an authority which does not belong to them, and on the part of many professors of Christianity too easy a submission to these unauthorized claims. Never can the divine injunction be too frequently repeated—too strongly urged—too deeply pondered: “Call no man on earth master.” It is of high importance to carry these truths about with us in all our investigations into the meaning of the inspired volume—but never is it of more importance than in our inquiries as to the meaning of passages of Scripture, which, though it may be not particularly difficult in themselves, have been, from various causes, differently interpreted. Amid the tumultuous noise of hostile disputants, it is not at all times easy to hear the still small voice of inspired truth—and yet if this is not distinguished and listened to, and understood, and believed, and obeyed, what are we the better? By attending to the former we may become accomplished

* “Inspired writings are an inestimable treasure to mankind; for so many sentences, so many truths. But then the true sense of them must be known: otherwise so many sentiments, so many unauthorized falsehoods.”—*Dr George Bright—Preface to Lightfoot's Works*, vol. i. Fol. Lond. 1684.

sophisters—able disputers of this world; but it is only by attending to the latter, that we become possessors of “the secret of the Lord,” and are made “wise to salvation.”*

NOTE XXVII.

ABSURDITY OF SUPPOSING THE LAW OF TRIBUTE TO HAVE NO LIMITS.

“Let it be supposed that after Nebuchadnezzar had made the decree for all to fall down and worship his image, and the three children were apprehended for refusing it, he had made another, that all, the Jews especially, should contribute every one a faggot, or money to buy it, to heat the furnace, or a rope to lead them to it; can any man suppose that Daniel, or the rest of the faithful, would have paid it? Even so, let it be supposed that one of these faithful ambassadors of Christ, or all these zealous workers together with God, who have la-

* “There is no Christian man, but will submit his understanding to God, and believe whatever he hath said; but always provided he knows that God hath said so, else he must do his duty by a readiness to obey when he shall know it. But for obedience or humility of the understanding towards men, that is a thing of another consideration; and it must first be made evident that his understanding must be submitted to men; and who these men are must also be certain, before it be adjudged a sin, not to submit. But if I mistake not, Christ’s saying, ‘Call no man master on earth,’ is so great a prejudice against this pretence, as I doubt not will go near wholly to make it invalid. So that as the worshipping of angels is a humility indeed, but it is voluntary, and a will-worship to an ill sense, not to be excused by the excellency of humility, nor the virtue of religion: so is the relying upon the judgment of man a humility, too, but such as comes not under that *ὑπακοή πίστεως*, that obedience of faith, which is the duty of every Christian; but entrenches on that duty which we owe to Christ as an acknowledgment that he is our great Master, and the Prince of the Catholic Church. In the meantime, he that submits his understanding to all that he knows God hath said, and is ready to submit to all that he hath said, if he but know it, denying his own affections, and interest, and human persuasions, laying them all down at the feet of his great Master, Jesus Christ, that man hath brought his understanding into subjection, and every proud thought into the obedience of Christ, and this is *ὑπακοή πίστεως*, the obedience of faith, which is the duty of a Christian.”—*Jeremy Taylor’s Liberty of Prophesying*, Sect. 2, pp. 28–31. 4to. Lond. 1647.

boured among the people in the preached Gospel, should fall into the hands of these hunters, and then they should make a law, and appoint every man in the nation to send but one thread to make a tow to hang that minister, or to hang the whole company of Christ's ambassadors, and a farthing to pay the executioner, can any man without horror think of complying so far as to contribute what is commanded?"—*A Hind let Loose*, pp. 713, 714.

NOTE XXVIII.

MODE OF SUPPORTING HEATHEN WORSHIP, AND TERTULLIAN'S TESTIMONY ON THIS SUBJECT CONSIDERED.

"Certe, inquitis, templorum vectigalia quotidie decoquunt. Stipes quotusquisque jam jactat? Non enim sufficimus et hominibus et diis vestris mendicantibus opem ferre, nec putamus aliis quam petentibus impertiendum: denique porrigat manum Jupiter, et accipiat; cum interim plus nostra misericordia insumit vicatim, quam vestra religio templatim. Sed cætera vectigalia gratias Christianis agent, ex fide dependentibus debitum, qua alieno fraudando abstinemus; ut si ineatur quantum vectigalibus pereat fraude et mendaciostrarum professionum, facile ratio haberi possit, unius speciei querela compensata pro commodo ceterarum rationum."—*Tertull. Apolog.* cap. 42.

This paragraph may be rendered thus:—"But you say the revenues of the temples—*vectigalia templorum*—daily decrease; who now throws pieces of money (to the gods)? for we are not able to give assistance both to your begging men and deities; nor do we think that any thing should be given to any but such as crave it: then let Jupiter stretch out his hand and take it; for our compassion is bestowing more money in the streets than your religion does in the temples. But the other revenues—*cætera vectigalia*—have cause to give the Christians thanks who discharge what is due, with the same fidelity with which we abstain from defrauding others; so that, if it were computed how much is lost to the revenues—*vectigalibus*—by the fraud and cozenage of those of your persuasion, it would readily be seen, that the complaint (against the Christians) as to one species (of revenue) is compensated by the benefit done by them to the rest."

Dr CAVE, in his *Primitive Christianity*, Part III. chap. 4, states his

understanding of the meaning of this passage,—thus, “Tertullian tells them, that, although they refused to pay *the taxes rated on them for the maintenance of the heathen temples*, yet for all other tributes they had cause to give the Christians thanks, for so faithfully paying what was due ; it being their principle to abstain from defrauding of others, inasmuch, that should they examine their accounts, how much of the assessments were lost by the fraud and cozenage of them of their own party, they would easily find that the Christians’ denial to pay *that one tax* was abundantly compensated, and made up in their honest payment of *all the rest*.”—*Cave’s Primitive Christianity*, Part III. chap. 4.

REEVES, in his translation, thus renders it : “Certainly, say you, *the rates* for the temple now come to nothing, and who can brag of any collections for the gods ? and really we cannot help it ; for, in good truth, we are not able to relieve such a parcel of beggars both of gods and men ; we think it very well if we can give to them that ask ; and I will pass my word, that if Jupiter will but hold out his hand, he shall fare as well as any other beggar. For we bestow more in the streets than you, with all your religion, do in your temples. However, if your temple-wardens have reason to complain against the Christians, the public, I am sure, has not ; but, on the contrary, very great reason to thank us for the customs we pay with the same conscience as we abstain from stealing. So that was the account fairly stated, how much the public is cheated in its revenues by the tricks and lies of those of your religion who bring in an inventory of their goods to be taxed accordingly, you would soon find, I say, at the foot of the account, that what the temple may lose in her offerings by the Christian religion, the state sufficiently gets in her taxes by the Christian’s fidelity in their public payments.”—*Reeves’ Apologies of Justin Martyr, Tertullian, and Minutius Felix*, vol. i. pp. 323, 324. Lond. 1716.

An anonymous translator gives a looser version of the passage :—“But say you the revenues of our temples lessen every day, and nobody gives any thing to them who minister in the holy offices ? We own the charge ; for we are not able to relieve both your priests and your gods. However, if Jupiter will come in person and ask our alms, he shall see how generous we will be. But, in truth, we give more charity in one street than you spend in all the sacrifices offered to your gods. Now, though you can find time to complain how the revenues of your temples lessen, yet you take no notice how your other taxes increase upon our account. For many who, before they

became Christians, cheated and cozened you, now pay their respective sums with great care and fidelity ; so that, if you consider the loss the public sustained by those acts and evasions by which many of us before cheated you, it will be found far to outbalance all the disadvantages you receive by our religion.”—*These two excellent monuments of ancient learning and piety—Minutius Felix’s Octavius, and Tertullian’s Apology rendered into English*, pp. 240, 241. Lond. 1708.

Dr CAVE has been censured by a note-writer in the Edinburgh Advertiser, of 24th November, 1837, for having “wholly misapprehended” the meaning of the passage. But although there are no words in the original answering exactly to the phrase, “refused to pay the taxes rated upon them for maintenance of the heathen temples,” which Dr Cave uses, there are not a few reasons which controvert so strong a censure, and seem to prove that the Doctor—perhaps, from knowing more than his censurer—retained the sentiment, while departing somewhat from the strict letter of his author.

1. Observe that the term *vectigalia* is employed twice by Tertullian in the paragraph, and as it is plain that, on the second occasion, it denotes properly *taxes*, or, at least, *revenues derived from taxes or imposts*, it is but reasonable to give it the same meaning on its first occurrence, and not to impute to Tertullian the blunder (with which otherwise we should charge him) of employing a word in two different senses in the same sentence, to the disguise of his own meaning and the embarrassment of his reader.*

* It also deserves notice, that Reeves renders “*vectigalia templorum*” *rates* for the temple ; and the anonymous translator contrasts the “*vectigalia templorum*,” which he renders *REVENUES*, with the *other TAXES*. It seems a strong presumption, that there is a reference to dues rated and exigible by law, that these different translators have, with great variety of expression, kept to this general idea ; and it may be doubted, if any thing but a very strong bias could have induced any scholar to interpret “*vectigalia templorum*” in the manner the learned note-writer has done. “Any version of the passage,” as Mr Marshall remarks, “if just, must contain enough for our purpose.” The following passages from the work of one of the soundest of scholars, Peter Burmann, “*De vectigalibus Populi Romani*,” cast some light on the nature of the “*vectigalia templorum*.”—“*VECTIGAL dictum est a vehendo : quia proprie illud vectigalis genus notat, quod pro vectura mercium exigitur, quod postea sub portorii nomine explicabitur ; latius vero postea hujus vocis significatio prolata est, ut omnes omnino redditus et emolumenta comprehendat, quæ ex re aliqua publico obligata ad ærarium perveniunt, et sic ad Decumas,*” &c. *Cap. I. p. 3.*—“*Ut civitatibus, sic etiam vestalibus virgi-*

2. Such a change in the import of the term is improbable, for this farther reason, that it evidently divests his argument of relevancy and force. After enumerating and refuting various charges which were then made against the Christians, of being, by their principles and their peculiar manners, useless and even hurtful as citizens, he introduces the magistrate, to whom his Apology was addressed, and who had the guardianship of the public religion, as complaining that "the revenues of the temples were daily falling off,"—meaning thereby that the Christians were withholding their contributions, and so injuring the public interest: to which complaint, Tertullian's answer is in substance—That it was "true the Christians did not pay to such revenues, but to all other revenues they paid so honestly, that the gain on these compensated the loss on those."

When the term *vectigalia* is held to mean *revenues derived from taxes, or otherwise exigible by law*, in both branches of the sentence, in the accusation as well as in the defence, Tertullian's vindication of his fellow-Christians is consistent, pointed, and vigorous. But these qualities disappear, and are succeeded by extreme flatness and inconclusiveness, when, with the note-writer, we hold *vectigalia*, on its first occurrence, to be equivalent to "voluntary contributions," or to "alms" (as he renders *stipes*); for in that case we make Tertullian to speak as stupidly as a man of these times would do, who, when blamed for not renting a pew in church, or not subscribing to the Bible Society, should plead that "he compensated for that defect, by faithfully paying his assessed taxes."

3. If the payments to the temples, which the Christians are, by implication, blamed for withholding, were not exigible from them by law, but were mere gifts thrown to the gods by those who frequented

nibus vectigalia quædam data sunt; præcipue agri vectigales; unde ab Hygin. et aliis rerum agrariarum auctoribus, virginum vestalium agri vectigales memorantur. Hæc beneficia liberalitate Principum postea aucta fuere: de Augusto prodit Sueton. cap. 31, eum comoda sacerdotum, sed præcipue vestalium auxisse; quo respexit Ovid.

‘Nunc bene lucetis sacræ sub Cæsare flammæ.’—FAST. VI. 455.

Templa etiam Romanorum opimis redditibus et vectigalibus erant instructa, quibus sacrificia et sacerdotes tuebantur; aperte de templorum vectigalibus," Tertullian, *Apolog.* c. 42. "Certe templorum vectigalia jactat," &c.—*Burmanni Vectigalia. Cap. VII. p. 100. 4to. Leidæ, 1734.*

The most satisfactory account we have met with of the revenues of the Pagan Roman priesthood, is that by the acute and learned Moyle, "Impri-mis acutus et eruditus," as Mosheim justly terms him, in his essay on the Roman Government.—*Posthumous Works*, vol. i. pp. 37–50.

the temples, to object against the Christians that they withheld them, was plainly absurd; and the natural answer of Tertullian to the charge would have been, that the payments being either quite voluntary, or at least required from those alone who *used* the temples, which the Christians had ceased to do, no reasonable man could expect that they would continue them.

This answer could not have escaped one, who is styled by Eusebius, *τοὺς Ῥωμαίων νόμους ἡκριβόκοτα ἀνδρα*,* *a man accurately learned in the laws of the Romans*;—of whom Heineccius declares, “*Quo nullus ecclesiæ doctorum divini humanique juris peritior fuit,*”† *than whom no doctor of the church was more skilled in divine and human laws*, and who, by many jurists, has been identified with an eminent Roman jurisconsult of the same name and age, who wrote several treatises on legal topics; while by those who doubt the identity of the lawyer and the presbyter, it is confessed, that in legal learning the latter was as accomplished as his namesake.

Instead, however, of giving this most natural and most conclusive answer, our author introduces the mention of *other revenues* which, confessedly, were the produce of taxes and imposts, and by marking no distinction, except that of application, between the two sorts thus brought into comparison, leaves it to be inferred that they were like, in all other respects, and consequently that those of the temples were also the produce of legal exactions.

4. It may be said, however, that if by *vectigalia templorum*, Tertullian intended any tax or tribute whatever, it was a tribute paid by those who used the temples; for he immediately subjoins the words, “*Stipes quotusquisque jam jactat? Who now throws tribute*” into the treasury of the gods?—in allusion, probably, to the act or gesture by which it was done; that, if this tribute was not voluntary, but legally due, it was happily described by the term *vectigal*, which, according to etymology, means a tax levied on things carried into, or out from any place;‡ and that taking it therefore in this sense, the sentence intimates, not that the Christians refused to pay a tax due by them, but merely that they refrained from coming within the operation of one.

If this interpretation were proposed, it might be urged against it, in the first place, that inasmuch as the other expression, *cetera vecti-*

* Hist. Eccl. lib. ii. c. 2.

† Hein. Opera, tom. vi. 34. Edit. 1772.

‡ *Vectigalia*, according to the learned Petit, were collected by publicans, while the *tributum* was not; and he quotes a passage from Tacitus, Annal. xiii. 50, which seems clearly to prove this. Crit. Sac. tom. ix. col. 1166.

galia, clearly means taxes of a very different kind from a mere optional tribute, there would still be a want of congruity between the first and the second use of the term, and consequently a want of relevancy and force in the sentiment: In the second place, that no inference in favour of this limited sense of *vectigalia* can justly be drawn from the subsequent specification of *stipes*; for the reference to that particular species of tribute appears plainly to have been made, not with the view of explaining what the *vectigalia* were, but by way of example of the fact, that the *vectigalia* were decaying,—which example, Tertullian was evidently led to select, chiefly by the opportunity which it gave him of flinging out a taunt about Jupiter's impotency as a beggar—as appears from this, among other considerations, that the sober import of the passage remains whole and entire, and even improved by condensation, when the gibe, thus rhetorically interjected between the beginning and the end of it, is altogether left out: In the last place, that so restricted a meaning of *vectigalia* is contrary to that which, when not qualified by accompanying words—as when it is opposed to *tributum*—or by the nature of the subject spoken of, it commonly bears, namely, *taxes* generally, whether on persons, on lands (whence *agri vectigales* and *aedes vectigales*), or on any other thing.*

5. Claiming, therefore, for *vectigalia* as broad a sense in the beginning as it bears in the latter part of the sentence, we come to inquire, whether there were, in point of fact, any taxes or revenues for the use of the temples, over which the Christians could exercise such a control as to diminish their amount? And here it is granted to the note-writer, that the heathen worship of the empire does not appear to have been maintained “by a direct impost upon individuals,”—that infamy having been reserved for a purer faith. Neither does it appear that any of the common taxes upon lands, &c., were imposed expressly for its support.

It seems certain, at the same time, that it was not upheld by voluntary contribution, but at the public expense. The temples, &c., had legal revenues, which were derived from possessions in the city and in the country (*loca, praedia, possessiones, fundi, aedificia, jura seu capita*), which were said to be *in jure* TEMPLORUM, and from the possessors of which were levied certain annual payments or prestations. These, along perhaps with the *stipes*, seem to have constituted the *vectigalia templorum*. From one passage in Tertullian, which will be subsequently quoted, it may be inferred that they were under the

* Voet ad Pandectas, lib. xxxix. tit. 4. §§ 11 and 12.

management of the magistrate ; and most probably they mainly formed the subjects which he tells us, in other passages, were farmed out to the publicans or tax-gatherers, and on account of which he reproaches the heathens with having *vectigales dei*, which may be freely rendered *tax-yielding deities*, and gods who were *sub hastario vectigales*, that is, sources of revenue set up to public auction.* Under the Christian princes, these revenues of the temples were diverted from their Pagan destination, some of them having been incorporated with the patrimony of the prince, some applied to defray the expenses of the military, some given to churches, some sold to, and some apparently usurped by, private parties.

Now it would be a singular construction of this passage of Tertullian, which should exclude from *vectigalia templorum* that which seems to have been the only proper and stable revenue of the Pagan establishment, and the fund from which the gorgeous feasts and games of idolatry were furnished. It would be against reason and against authority also : for we find the great commentator on the Theodosian Code, Gothofredus, in his annotations upon a law of the Emperor Honorius (A. D. 408), by which certain of the *annonae templorum*, i. e. the yearly income of the temples, were transferred to the service of the military, affirming that those *Annonae* were what Tertullian had designated “ *vectigalia templorum*.” *Annonae templorum*, seu, ut a Tertulliano vocantur, *templorum vectigalia*.† But if it be true that such was the nature of the “ *vectigalia* ;” if they were not voluntary payments, but rents or taxes exigible by force of law, and if they were falling off in consequence of the defection of the Christians, what can we conclude, but that the Christian occupiers or proprietors of the various possessions from which they were drawn, were not continuing to make a cheerful payment of the dues ?

6. Certainly, if they had positively declined to pay, they would only have obeyed a principle which seems to be recognized and enforced by Tertullian in his treatise *de Idololatria*, c. 17, where, discussing the question whether a Christian might, like Joseph and Daniel of old, accept of the office of magistrate, he determines it in the affirmative, provided it be found possible for a Christian in the magistracy

* Ad. Nationes, lib. i. c. 10.—Apologeticus, c. 13.

† Codex Theodos. tom. vi. 289.—Gothofredus refers to the Apology, c. 2. and the Treatise *de Idololatria*, c. 7 ; but it would seem that the chapters should be respectively 42 and 17, where the words *vectigalia templorum* occur, while they are not to be found either in cap. 2. Apologet., or in cap. 7. *de Idolol.*

to abstain from all concern in acts tending to uphold or countenance idolatry : provided, for example, that he shall not sacrifice, nor procure the victims, nor take charge of the temples, nor MANAGE THEIR REVENUES—"non vectigalia eorum (*i. e.* templorum) procuret." From which words we may not merely learn that the *vectigalia templorum* were, as formerly hinted, under the charge of the Roman magistrate, but may fairly conclude, that since the Christians in Tertullian's time believed that a Christian could not act as a magistrate in collecting revenues destined to an idolatrous purpose, they could scarcely have held that he was bound as a subject to pay them. Although there are doubts as to the time when this treatise was composed, and it is uncertain whether it was written before or after Tertullian had seceded from the Church, yet as it is confessed to exhibit no decisive marks of the ascetic heresy of Montanus, into which he lapsed, it may be taken to be a faithful index to the prevailing sentiments of the Christians.—Indications equally plain that a keen, perhaps, in some degree, a morbid sensibility to the pollution of idolatry, in the early Christians, was ever on the watch to keep them out of its way, abound in the writings of Tertullian.

But, perhaps, we have already said enough for our own immediate purpose, which was to show, that if, with Dr Cave, we choose to discover in the sentence under discussion, a declaration that the early Christians refused to pay dues for the maintenance of the heathen worship, we shall run no great risk of misrepresenting either their principles or their behaviour.

Bishop Kaye, in the abstract of the "Apologeticus," given by him in "The Ecclesiastical History of the Second and Third Centuries, illustrated from the writings of Tertullian," states, that in defending the Christians against the charge of being rendered by their religion unfit for the duties of citizenship, the African Father remarks, that the charge when examined, amounts only to this, that "they brought no offerings to the temples, and contributed nothing towards defraying the expenses of the public games, or the support of these trades which were more immediately connected with the pomp and ceremonies of idolaters."* The natural conclusion from this representation is, that the contributions referred to were all optional ; but we believe such a conclusion would at any rate be an unsafe one. Gibbon, who is a very good authority on such a subject, represents Christians who refused to take a part in the public festivals, as disregarding "the

* Eccles. Hist. of the Second and Third Century, p. 130. Camb. 1836.

commands of the magistrate," as well as "the fashion of their country."^{*}

The reader is now able to judge whether the assertion of the learned note-writer already referred to, be as much distinguished by accuracy as confidence,—whether his appeal be as safe as it is unhesitating, when he says, "In all this (statement of Tertullian) there is *not a single word* about the Christians refusing to pay the taxes levied upon them for the maintenance of the heathen temples. We confidently refer to the original passage, and appeal to any 'simple-hearted' man capable of understanding the words, *whether there is an approach to such an idea.*" It will probably be thought by some who are quite as capable of understanding the words, and analyzing the thoughts of Tertullian, as the learned *incommu*, that in his eagerness to prove what he wished to be true, he arrived rather too soon at his conclusion, when "he held it *demonstrated* that it is a libel against the Christians, to represent them as refusing to pay any tax they were rated with ;"[†] and that the whole of his statements on this subject have been fully as much marked by "hardihood of asseveration" as by force of argument. The somewhat caustic remark of SCALIGER to the learned Jesuit SERARIUS, seems not inapplicable here :—"Hoc excusandum non erat. INCERTA pro CERTIS affirmare TURPE est."

General and uncontradicted report has identified the note-writer

^{*} Decline and Fall of the Roman Empire, Ch. XV. vol. i. p. 466.

[†] "We hold it then demonstrated, that it is a libel against the Christians to represent them as refusing to pay any taxes they were rated with. Dr. Brown's glosses, or, rather his friend, the Archbishop's gloss"—(*vide* Documents, No. VI.)—"of an isolated passage, will stand him in no stead. We have the direct testimony of the Fathers that they readily paid all taxes" (of a civil kind), "without any exception, and their worst enemies never charged them with any thing so extravagant and ridiculous, as might be construed into a precedent for the Edinburgh Voluntaries. Ambitious as the primitive Christians were for" (of) "the crown of martyrdom, it did not occur to these 'single-minded men' to seek for that crown by the violation of a positive precept of their Divine Master, or by turning their back on his example." (Yet we will find Mark, bishop of Arethusa, seeking and finding the crown of martyrdom, by refusing to pay money exacted from him by public authority, to support what he counted a false religion.—*Vide* Note XXIX.) "Dr Brown and his followers may seek in vain among the Fathers for any warrant for their proceedings. These proceedings are, indeed, not without a precedent. It is, however, not among the simple-hearted Christians, but among the TURBULENT HERODIANS; and Judas, the Gaulonite, is their" (his) "true prototype." (Acts v. 37.)—*Edinburgh Advertiser*, Nov. 24, 1837.

with an individual occupying an important public station, who has peculiar professional motives and facilities for prosecuting researches in ecclesiastical history. It may be worth his while to push his inquiries somewhat farther into a subject, which he has given satisfactory evidence of having, as yet, but very imperfectly investigated; and when he has done so, he will, we trust, in his own name, favour the public with the result of his labours. “Nec enim quenquam virum honestum et doctum ita meticulosum esse arbitror, ut cum opprobrio latere cupiat, aut ita humilem et abjectum, ut nomen sibi suum dedecori esse credat.”*

Worse things may happen to a man, than to be, like Dr Cave, “chastised into a retractation of his mistakes.” There are some men professedly learned, too, like the Doctor, in ecclesiastical history, who cannot be chastised into a retractation of their mistakes; but the silence of conscious defeat, the “speechlessness” of self-condemnation, while it cannot be less painful, is certainly far more disgraceful.

We may perhaps also, be at the same time, furnished with some information on another subject, which has excited no ordinary degree of curiosity in the minds of some students of ecclesiastical antiquity. I refer to the history of “the *turbulent* Herodians.” We have long been familiar with the *courtly, compliant* Herodians, who, if they did not impiously compliment the infamous prince from whom they derived their name, with the honours of Messiahship, as Tertullian and Epiphanius write, at least concurred with him, in readily owning the authority of the Romans over the holy people, and in following many of the heathen usages of their conquerors;† and who, if they fore-

* Matthæi prefat. in Apocal.

† Comparatively little is known about the Herodians. The opinions held on this subject, and the grounds on which they rest, may be learned from the passages referred to:—Prideaux’s *Connexion of the Old and New Testaments*, vol. ii. p. 286. Fol. Lond. 1713.—Serarii *Herodes*, Ch. xxii. p. 279. Moguntiae, 1607.—Casauboni *Exercitationes de rebus sac. et eccles. ad Baronii Annales*, Exercit. I. Num. V. pp. 34, 35. Francof. 1615.—Ellisii *Fortuita Sacra*, pp. 31–53. Rot. 1727.—Noldii *Historia Idumæa*, p. 266. Francof. 1660.—Schulteti *Exercitationes Evangelicæ*, Ch. lxxxvii. in *Criticis Sacris*, tom. vii.—Wetstenius in *Matth.* xxii. 17. Nov. Test. vol. i. p. 473.—Scaligeri *Eusebianæ Animad.* p. 150. *Petiti Variæ Lectiones in Crit. Sac.* tom. ix. coll. 1168, 1169.—Saurin *Discours. Histor. Crit. &c. Dis.* xxxix. vol. x. pp. 158, 159. 8vo. A la Haye, 1739.—Mosheim *de reb. Christ. Ant. Const.* p. 42. 4to. Helmst. 1753.—Lardner’s *Credib. of the Gosp. Hist.* P. 1. B. 1. Ch. iii. Works, vol. i. p. 70. 4to. Lond. 1815.—Harwood’s *Introduction to the New Test.* Ch. vi. sect. v. vol. i. pp. 234–236. Lond. 1773.—Brown’s *Antiquities of the Jews*, Part viii. Sect. 4. vol. ii. p. 74.

showed any particular class in our country and age, were certainly not the "prototypes" of those who conscientiously refuse to pay taxes avowedly exacted for what they account a sinful purpose. With the *turbulent* Herodians, who, it seems, on professedly conscientious grounds, refused to pay religious taxes, we are not so well acquainted, and we feel no shame in acknowledging our ignorance; as we are not aware that—with the exception of the learned note-writer—any ecclesiastical historian is better informed than ourselves.

We are aware indeed that, at a period subsequent to that of the mention of the Herodians in the gospel history, Herod, the Tetrarch, was suspected of conspiracy against Tiberius, and exiled to Lyons, where he died; but we never heard of any risings among his adherents, which could entitle them to the appellation, *turbulent* Herodians. We also recollect a certain note in Beza, which may have misled the learned note-writer, but any thing like evidence of the *turbulence* of the Herodians in the matter of tax-paying, we have never seen.

The hypothesis of CALMET, for it deserves no better name, is disowned by his learned editor, who holds Prideaux's opinion. The assertion that *some* called Judas' followers Herodians, seems a mere *on dit*. Who are these *some*? And the reason, he says, they gave, is indeed an odd one—because Gaulon, Judas' city, was in Upper Galilee, which belonged to the tetrarchy. In the Dictionary of the Bible, best known in this country (*Brown's Dictionary, article Sect*), Calmet's conjecture is summarily dismissed with the conclusive query, "Why should persons of this stamp be denominated from any of the Herods, who are known to have been pliant cringers to the Romans?" Had the note-writer looked into the "Table of Offices and Conditions of Men," appended to the authorized translation of the Bible, which contains much important information (though the statements are not always quite accurate), condensed in few words, he would have found the two following sentences in immediate succession,—"*Gaulonites*, or *Galileans*, who pretended it unlawful to obey an heathen magistrate. *Herodians*, who shaped their religion to the times, and particularly flattered Herod." We rather think Scaliger would have used even a stronger word than *incerta*, had he uttered his adage in reference to an expression which represents as notoriously true, what is so entirely destitute of proof, or even probability, as the identity of the Gaulonites and the Herodians.

NOTE XXIX.

REFUSAL OF THE EARLY CHRISTIANS TO PAY EXACTIONS, FOR
SINFUL PURPOSES.—MARCUS OF ARETHUSA.—AMBROSE OF MI-
LAN.—LAURENTIUS.

The details respecting MARCUS of ARETHUSA, as given by THEODORET and SOZOMEN, are interesting :—

“ Το δεγε Μαρκου του Αρεθουσίων επισκοπου δρᾶμα, της Αισχυλου και Σοφοκλεους μεγαληγορίας δειται, ἰν’ αξίως τα εκείνου τραγῳδησῶσι παθῇ. Επειδη γαρ ὁυτος εν τοις Κωνσταντιου καιροις ειδωλικον τινα καταλυσας σηκον, εκκλησιαν εδειματο, του Ιουλιανου μεμαθηκοτες Αρεθουσιοι σκοπον, εγυμνωσαν την δυσμενειαν. Ὁ δε πρωτον μεν αποδραuai κατα τον ευαγγελικον επειραθη νομον’ επειδη δε εγνω των ὑπ’ αυτον αντ’ αυτου συνειληφθαι τινας, επανῆκε τε και ἑαυτον τοις μαιφουνοις εξεδωκεν. Ὅι δε λαβοντες, ουτε φκτειραν ὡς πρεσβυτην, ουτε ἡδεσθησαν ὡς αρετης φροντιστην’ αλλα και βιφ και λογφ τον ανδρα κοσμουμενον, πρωτον πεν ἡκισαντο, το σωμα γυμνωσαντες, και τοις μελεσιν ἅπασιν επιθεντες τας μαστιγας. Ειτα εις ὑπονομους δυσωδεις εμβαιλοντες, κακείθεν αναγαγοντες, τῷ πληθει των μειρακιων παρεδosan’ αφειδως αυτον κατακεντειν ταις γραφισι κελευσαντες. Μετα δε ταυτα εις γυργαθον εμβαιλοντες, και γαρφ και μελιτι χρισαντες, ὑπαιθριον ἠωρησαν εν θερους ακμη, σφηκας ὁμου και μελιττας εις θοινην προκαλουμενοι. Ταυτα δε εδρων, δυοιν θατερον αναγκαζοντες, ἡ τον σηκον τον καταλυθεντα δομησασθαι, ἡ την της οικοδομιας εκτισαι δαπανην. Ὁ δε, των μεν χαλεπων εκεινων ηνειχετο παθηματων, δρασειν δε των προτεινομενων ουδεν επηγγελλετο. Εκεινοι δε δια πενιαν αυτον μη παρεχειν ὑπειληφοτες τα χρηματα, τα μεν ἡμισι των προταθεντων ηφιεσαν, τα αλλα δε εκτινειν εκελευον. Ὁ δε εξηρτημενος, και ὑπο τε των γραφιδων κεντουμενος, ὑπο τε των σφηκων και των μελιττων εσθιομενος, ου μονον ουκ εδηλου τας αλγηδονας, αλλα και επετωθαζε τοις ανοσιοις, και ελεγεν αυτους μεν ειναι χαμαιξηλους και επιγειους’ ἑαυτον δε ὑψηλον και μετεωρον. Τελος δε, βραχυν τι μοριον χρηματων εξηγησαν’ ὁ δε, ισον εις ασεβειαν εφη, το οβολον γουν ἑνα δουναι, τῷ παντα δουναι. ὁυτως ἡττηθεντες απελυσαν, υπεραγασθεντες την καρτεριαν, και δια των εναντιων εις τᾶναντια μετατεθεντες’ δια γαρ της εκεινου γλωττης μετεμαθον την ευσεβειαν.”—*Theodoriti Episcopi Cyri Ecclesiasticae Historiae*, Lib. iii. Caput vii. p. 129. Folio. Cantab. 1720.

“ The tragical story of MARCUS, bishop of the Arethusians, would require the majestic style of Æschylus or of Sophocles, worthily to

describe the sufferings which he endured. In consequence of his having, in the time of Constantius, destroyed a certain idolatrous temple, and built a church in its place, the heathen Arethusians, as soon as they became acquainted with the intention of Julian, no longer concealed their hatred. At first he attempted, in accordance with the evangelical precept, to escape by flight. But when he understood that some of his charge had, in consequence of his absconding, been apprehended, he returned, and gave himself up to his blood-thirsty persecutors. They having laid hands on him, neither pitied his age, nor respected his virtue ; but, eminent as he was in character and in doctrine, they, in the first place, did him the indignity of stripping his person, and exposing his naked body to the lash. Then, when they had plunged him into fetid sewers, and had again brought him up, they put him at the disposal of a crowd of boys, and encouraged them to prick him unmercifully with their writing instruments. After those indignities, they put him into a basket, and having smeared him over with sauce and with honey, they suspended him in the open air during the intensity of the mid-day heat, and enticed to the feast wasps as well as bees. They did all this that they might force him to one of two alternatives—either to rebuild the temple which he had destroyed, or to pay the expenses of its erection. But he continued to bear with patience his excruciating sufferings, and would not consent to do either of the things which they proposed. They, conceiving that it was on account of his poverty that he did not offer them the money, remitted half the proposed sum, and ordered him to pay the remainder. But he, though suspended in the open air, though punctured by their writing instruments, and tormented by the wasps and the bees, not only refrained from giving outward expression to his pains, but even taunted his unholy persecutors, and told them that they were grovelling and terrestrial, whilst he was elevated and aloft. At length they asked of him only a small portion of the money ; but he replied, that it would be equally impious to give even one obolus, as it would be to pay the whole. Being thus compelled to yield their point with him, they set him free, being greatly astonished at his magnanimity ; and they were converted to the opposite faith by means of the very opposition which they had made to it, for they afterwards became Christians in consequence of his instructions.”

“ Ἀρεθουσιοι δὲ Μαρκὸν τοῦ γενομένου αὐτῶν ἐπισκοποῦν, γηραλέον οὐτά, πολὺ τε καὶ βίῳ αἰδεσίμῳ, ἐλεεινῶς διεχρήσαντο· τοῦτον τε καὶ πρότερον ἐν ὀργῇ εἶχον· προθυμότερον γὰρ ἢ κατὰ πείθω, Κωνσταντίου

βασιλευοντος, τους Ἑλληνιστας εἰς Χριστιανισμον ἐπανηγε, καὶ τον παρ' αὐτοῖς σεμνοτατον καὶ πολυτελεστατον ναον καθεῖλεν. Ἐπει δὲ μετεπεσεν εἰς Ἰουλιανον ἡ ἀρχη, κεινημενον ἐπ' αὐτον τον δημον ὁρῶν ἅμα δὲ καὶ κατα προσταγμα βασιλεως καταδικασθεις, ἡ την αποτιμησιν του ναου ἐκτισαι, ἡ τουτον ανοικοδομησαι. Λογισαμενος ὡς ἀδυνατον ἑκατερον, Χριστιανῶ δὲ ἀλλως ἀθεμιτον το δευτερον, μητι γε δη ἱερεῖ, ἐφυγε τα πρωτα μαθων δὲ δι' αὐτον κινδυνευειν πολλους, ἐλκυσματων τε καὶ δικαστηριων καὶ των ἐν τουτοις πειρᾶσθαι δεινων, ἐπανηλθεν ἀπο της φυγης, καὶ ἐβελοντης ὃ τι βουλοιντο αὐτον δρᾶν τῷ πληθει προσηγαγεν. Ὅϊ δὲ, ἐξ ὧν ἐδει πλεον ἐπαινειν ὅτον ὡς φιλοσοφῷ πρεπουσαν πράξιν ἐπιδειξαμενον, ὑπερφρονησθαι νομισαντες, πας ὁ δημος ἐπ' αὐτον ἐχώρησε· καὶ δια των ἀγνιων εἰλκον, ὠθουντες καὶ τὺλλοντες, καὶ ἡ ἐτυχε των μελων, ἐκαστος παιοντες· ἐσπουδαζετο δὲ το δράμα ἀνδρασι καὶ γυναιξι, καὶ παση ἡλικίᾳ, μετὰ προθυμίας καὶ ὀργης, ὡς καὶ σπαρτιοῖς λεπτοῖς τὰ ὦτα αὐτου διατεμειν. Παιδες δὲ εἰς διδασκαλους φοιτῶντες, παιγνιον ἐποιουντο το πραγμα· καὶ μετεωρίζοντες αὐτον, καὶ πρὸς ἑαυτον κυλιοντες, ἀντεπεμπον τε καὶ ἀνεδεχοντο τὰς γραφίσι, καὶ ἀφειδῶς κατεκεντουν. Ἐπει δὲ ἅπαν το σῶμα τραυματίας ἐγενετο, ἐτι δὲ ὁμως ἐνεπνεε μελιτι καὶ γὰρ ὡς ἀλείψαντες αὐτον, καὶ σαργανῇ ἐμβαλοντες, πλεγμα δὲ τουτο ὀλοσχοῖνον, εἰς ὕψος ἤραν. Ἦνικα δὲ λεγεται σφηκων καὶ μέλισσων ἐφιπταμενων αὐτῷ καὶ τὰς σαρκας κατεσθιονσων, πρὸς τοὺς Ἀρεθουσίους εἶπειν, ὡς αὐτὸς ὕψηλος εἴη, τοὺς δὲ ταπεινοὺς ὁρᾶ καὶ χαμαὶ ἐρχομενοὺς, καὶ κατα τουτο ἑαυτῷ τε κακείνοις συμβαλλειν ἐσεσθαι τὰ μετὰ ταυτα. Λόγος δὲ τον τότε ὑπαρχον, Ἑλληνιστην μὲν ἐς τὰ μαλιστα ὄντα, γενναιον δὲ τὸ ἦθος, ὡς καὶ εἰσέτι νυν την περὶ αὐτου δοξαν κρατειν, θαυμασαντα Μαρκον της ἐγκρατείας, παρρησιασασθαι πρὸς τον βασιλεα, καὶ μεμψασθαι, ὡς εἰκοτῶς αἰσχυνην ὀφλίσκανουσι, κεκρατημενοὶ παρ' ἑνὸς γεροντος, πρὸς τοσαύτας βασανους ἀνδρείως ἀντιταξαμενου, καὶ κινδυνευειν αὐτοὺς γέλοιους εἶναι, ἐνδοξότερους δὲ ὅς ταυτα δρῶσιν. Ὁ μὲν οὖν μακάριος, ἐπὶ τοσούτον γενναιῶς πρὸς τον Ἀρεθουσιον θυμον καὶ τὰς πολλὰς βασανους ἀντεσχεν, ὡς καὶ πρὸς αὐτῶν ἐπαινεθῆναι των Ἑλληνιστων.”—*Sozomeni Historiæ Ecclesiasticæ*, lib. v. cap. x. pp. 194, 195, folio. Cantab. 1720.

“MARCUS, the Bishop of the Arethusians, a very old man, venerable at once for his hoary hairs and his blameless life, was by them (his heathen fellow-citizens) cruelly put to death. They had for some time borne him a grudge; because, under the reign of Constantius, he had been more than ordinarily zealous in employing means to convert heathens to Christianity—going somewhat beyond mere persuasion—and had even destroyed their temple, which was an exceedingly splendid and costly edifice. But when the government fell into the hands of Julian, Marcus, seeing the people rising against him,”

and, at the same time, being condemned, according to royal edict, either to pay the estimated expense of the temple, or to rebuild it ; and considering both of those alternatives to be impossible, and the latter, even although it were possible, to be unlawful to a Christian, and much more so to a Christian minister, he took himself at first to flight. But when he learned that, on his account, many were endangered, and exposed to violent apprehension and to judicial trials, and their accompanying terrors, he returned from flight, and, of his own accord, placed himself at the disposal of the multitude to do to him whatsoever they chose. They, instead of yielding him that admiration which his conduct, so becoming a philosopher, deserved, thinking themselves scornfully used, rushed in one mass upon him, and dragging him through the streets, they pushed him, and plucked out his hairs, and each one struck him at his will. This cruel work was eagerly and relentlessly engaged in by men and women, and by persons of every age ; and to such an extent did they carry it, that they even pulled off his ears with small cords ; and the children going to school made a sport of the affair, and suspending him in the open air, and running against him, they alternately pushed him off, and received him with their writing instruments, and thus mercilessly punctured him. After his whole body had been thus wounded, and as he nevertheless yet continued to breathe, they anointed him with honey and sauce, and putting him into a wicker-basket, swung him aloft. It is reported that, at this time, when wasps and bees had clustered around him, and settled on his body, he said to the Arethusians that he was exalted, whilst he saw them below, and grovelling on the earth ; and he added, that he divined from this, what would soon be both his lot and theirs.

“ It is moreover reported, that he who was their governor—a man, unconverted from heathenism, but yet commanding even to this day the highest reputation for his moral character—was so much struck at the resolute self-denial of Marcus, that he made a bold representation to the emperor, in which he blamed them (the heathen party), as, on the one hand, justly exposing themselves to shame, in being overcome by a single old man heroically bearing up against such excruciating sufferings ; and as, on the other hand, running the risk of becoming ridiculous themselves, and rendering those more glorious who suffered at their hands. Thus, then, the blessed martyr so nobly withstood the fury of the Arethusians, and the many torments which they inflicted, that he gained the admiration even of the heathen themselves.”

SOCRATES ascribes to MARCUS—sometimes styled “the Syrian,” sometimes “the Arethusian,”—the first appellation being borrowed from his country, the latter from the place of his ministry—a creed which is to be found in his *History*, Lib. ii. cap. xxx., and also in *Athanasius*, vol. ii. p. 742, and in *Nicephorus*, Lib. ix. cap. xxxi., and in Hilary’s work “*De Synodis*,” col. 1174, in which there is little suspicious, but the want of the shibboleth of the orthodox of those days, *ὁμοουσιος*. Its principal fault is that which is common to all the creeds of that age, but unhappily not confined to them—the being unduly specific and explanatory on subjects on which Scripture is general and simply dogmatic.

RUINART speaks of him, likely from this circumstance, as favouring the Arians, or, at any rate, being among the chief of the Semi-Arians; but not only does THEODORET, who was an orthodox bishop, speak highly of him, but GREGORY NANZIANZEN (whom GIBBON styles “the scourge of Arianism and the pillar of the church,” while he praises him for “the tenderness of his heart and the elegance of his genius”), pronounces a high eulogium on him.

There is a difference between the two historians as to the event of the venerable bishop’s sufferings—Theodoret representing him as surviving his torments, Sozomen as dying in the midst of them. The elder LOWTH’s remark seems well founded, that Sozomen’s narrative has most verisimilitude. Indeed, Theodoret is so much of a rhetorician in this case, that a person almost instinctively feels more confidence in the plainer and more circumstantial narrative of Sozomen.

In permitting, if not directly commanding, this venerable old bishop to be so inhumanly treated, Julian was guilty of base ingratitude, as Gregory Nanzianzen informs us, that, at the beginning of the reign of Constantius, Marcus had saved Julian by concealing the whole of the family in a church when they were in danger.

It has been conjectured by Valesius, that there were two Marks bishops of Arethusa, but he fails satisfactorily to support his conjecture. “There might indeed be,” as Dr JORTIN observes, “more bishops than one in those days who held the name of Mark; but we find only one Mark of Arethusa.”—*Jortin’s Remarks on Ecclesiastical History*, Book third, vol. ii. p. 284. Lond. 1805.

“The sufferings and constancy of Mark,” says Gibbon, notwithstanding his decided bias against Christian confessors, “are confirmed by the unexceptionable and reluctant evidence of Libanius,” a heathen. *Μαρκος εκεινος κρεμαμενος, και μαστιγουμενος, και του πωγωνος αυτω τιλλομενου, παντα ενεγκων ανδρειως, νυν ισοθεος εστι ταις τιμαις, και φανη*

που, περιμαχητος ενθους.—*Epist.* 730, pp. 350, 351. Amstel. 1738.—*Decline and Fall of the Roman Empire*, vol. ii. p. 396. 4to. Lond. 1781.

I have been “defied” to produce a single instance among the early Christians of a refusal to pay money exacted by the recognised authorities; and in answer to the defiance, I bring forward the indomitable old man, Mark, bishop of Arethusa. But his case was not singular.

AMBROSE, Bishop of Milan, seems to have held, and acted on, the same principles as Marcus of Arethusa. When Valentinian required him to cede a church to the Arians, he replied, “Nec mihi fas est tradere, nec tibi accipere, Imperator, expedit.—Noli te extollere, sed si vis diutius imperare, esto Deo subditus. Scriptum est: Quæ Dei Deo, quæ Cæsaris Cæsari. Ad Imperatorem palatia pertinent, ad Sacerdotem Ecclesiæ. Publicorum tibi mœnium jus commissum est, non sacerorum.”—*Ambrosii Epist.* Class. i. Ep. xx. § 19. *Opera*, Tom. vi. p. 48. 4to. Venet. 1731. “I will neither yield the church, nor is it well for thee, O Emperor, to take it. Exalt not thyself; if thou wouldst continue to reign, be subject to God. It is written, ‘to God, the things of God,—those of Cæsar to Cæsar.’ Palaces belong to the emperor: churches to the priest. The public, not the sacred walls are committed to thee.” It is plain that Ambrose would not voluntarily part with property, for a purpose of which he conscientiously disapproved, though demanded from him by the supreme civil authority.

LAURENTIUS, the chief deacon of the Church of Rome, suffered martyrdom in the reign of Valerian, being barbarously roasted to death, rather than yield up the treasure of his church when demanded by the secular power.—*Prudentii Peristephanon.* *Opera*, fol. 104. 12mo. Antv. 1540.—*Tillemont. Hist. Ecc.* Tom. iii. p. 16, *et seq.*—*Fleury, Hist. Ecc.* Tom. ii. p. 307, *et seq.* 12mo. Brux. 1713.

It does not at all affect my argument, that the property withheld from the magistrate in both these cases, was rather corporate than personal property; for I believe it would be difficult to show, that the Emperor had not just as legal a right to the one as to the other. It is true that Ambrose, in the very same epistle, says, that he is ready to part with his patrimonial estate, if the Emperor demands it; but to make the good Bishop consistent with himself, we must suppose that he means that he would part with his property when the Emperor required it for civil purposes. On the same principle that he refused to give up the church to the Arians, must he have refused to pay a tax for the specific purpose of building a church for those whom he considered as “deniers of the Lord that bought them.”

NOTE XXX.

OPINIONS RESPECTING THE LIMITS OF THE LAW OF TRIBUTE.

EPISCOPIUS.

EPISCOPIUS was a man of a powerful mind, and, though a Remonstrant, on subjects not immediately connected with the Quinquarticular controversy, shows himself an able theologian, and a clear and shrewd expositor of Scripture. In his Tract entitled, “*Responsio ad questiones theologicas, ipsi a discipulis in privato disputationum Collegio Amstelodami propositas*,” one of the questions discussed is, “*Qualis obedientia debeatur magistratibus in tributo pendendo?*” What obedience is due to magistrates in paying tribute? He goes pretty fully into the subject, and certainly shows no disposition unduly to circumscribe the magistrates’ power. The whole disquisition is worth reading.

I shall content myself with transcribing a few sentences, which directly bear on the point under discussion. In answer to the questions—“What is to be done when tribute is exacted for a purpose which we know and are persuaded is hurtful to the Church, or opposed to the eternal salvation of men, or the express commands of God,—as if a tax were levied to extirpate heretics, whom I did not think heretics, and considered it injustice to hurt; or if any impost were exacted from those whose religion was oppressed, for the sake of supporting those who were engaged in oppressing it—as the Emperor within our memory did in Germany; or if the means of carrying on war were exacted from the Menmonites—(a sect of Dutch Baptists, who agree with the Quakers in condemning all war); or when taxes are required in support of an obviously unjust war—as if the Oriental Christians were required to pay a tax to enable the Turk, stimulated by ambition, to make war on his unoffending Christian neighbours?” he replies in these words, “*Alterutrum faciendum est: Aut post omnia licita remedia, per supplicationes et intercessiones frustra adhibita, excundum etiam cum periculo et damno fortunarum omnium, si necesse sit, ut conscientiam illæsam possideamus: aut si id vel non licet vel rebus nostris incommodum est, ferendum potius quidlibet est, quam parendum jussibus divinæ voluntati directe adversantibus, siquidem juxta Apostolum Petrum, ‘Obediendum est Deo magis quam hominibus.’*” One of two things is to be done,—either, after having em-

ployed all lawful means of redress by petitions and requests in vain, to leave the country, though to the injury or utter ruin of our temporal affairs, in order to preserve our conscience unhurt—or if this be not permitted, or is inconvenient in our circumstances, then we are rather to suffer any thing than yield obedience to commands directly opposite to the divine will, since, according to the Apostle Peter, “we must obey God rather than men.”—Acta iv. 19, 29.—*S. Episcopii Responsio, ad Quest. xxviii. Opera*, tom. 1. Fol. Amst. 1650.

BAXTER.

“It may be sinful in a governor to lay an unnecessary tax upon the people; who yet may be bound in conscience to obey the imposition. If the thing be not evil in itself, nor by a more weighty accident, than the magistrates’ command to the doing of it, we must obey.”—*Baxter’s Holy Commonwealth*, p. 358. Lond. 1659. It is plain from this, that Baxter, whose opinions of civil power were very high, held that the very act of paying tribute might in certain cases become sinful.

NOTE XXXI.

DIFFERENCE OF TAXES FOR GENERAL AND FOR SPECIFIC PURPOSES.

ANONYMOUS.

The truth on the subject of taxes for specific objects, reckoned sinful by the person from whom the tax is required, is luminously stated by a writer in that useful periodical, the Voluntary Church Magazine.

“The real question to be determined is this, Is the payment of money for a purpose deemed sinful, a lawful action? That it is not lawful, is surely the verdict of scripture and reason. This verdict is applicable to all those cases in which the specific object of a tax is determined, and that object is viewed by the payer, as condemned by the divine law. It is to be recollected, however, that in imposing or levying a tax, the civil legislature are not necessarily obliged to state its specific object. A general tax may in all circumstances be paid; because, in such a case, the only motive presented to the mind is the claim of the civil legislature—and the Divine command to pay tribute is strictly applicable. This view of the matter

is not set aside, although it is known that a portion of the revenue is applied to an unlawful object. The legislature, and not the people, are responsible for the application of public money. No doubt, the people are ultimately responsible for every public measure, by which their interests are affected ; and they have it in their power to apply a remedy to every existing evil. But when we speak of the people as the subjects of the government, each individual is responsible only for his own acts. Unless, therefore, the legislature, by the mode of collecting a tax, make the contributors individually parties along with themselves, they alone are morally accountable for the appropriation of its product. In the case of a general tax, the law to which obedience is required, merely ordains that money be paid to the government for national purposes ; the object to which that money is to be applied is no part of the law. This object exists only in the intention of those from whom the law emanates, and for that intention they alone must answer to God. In these circumstances, the act of obedience is not essentially sinful ; on the contrary, it is lawful ; nay, it is morally obligatory as an act of submission to an existing ordinance, which has the sanction of Heaven. But the case is materially altered, when money is demanded for a specific object, if that object is sinful. Then the object specified is a part of the law, and appears on its face. It no longer exists merely in the intention of the legislature—it is no longer subject to any posterior act which they have to pass : it is something fixed and publicly declared. To this object the payer of the tax is made a party ; he yields obedience to a law which specifically ordains it—he gives his money not merely because the government demand it, but because they demand it for this purpose. This purpose is stated as a part of the obligation under which the payer lies, to give the sum required, and by the act of payment he acknowledges this obligation. The law demands his money for a particular object, and he gives it for this object. Upon what principle then can it be maintained, that he is not a party to the responsibility which that object involves ? If it be essentially sinful—or even if he believes it to be sinful, whether his judgment be true or false—he violates conscience by the voluntary payment of the tax.” —*H. A. Voluntary Church Magazine, for March 1838, vol. vi. pp. 104, 105.*

HIND LET LOOSE.

The difference between taxes for general and specific purposes, and its bearing on our argument, are well stated by those whom I must still be allowed to call “ our covenanting ancestors.”

“ These payments *for such wicked ends, either particularly specified and expressed in the very act appointing them*, or openly avouched by the exactors, are of another nature, than *impositions fundamentally appointed for the public good*; and the after misapplication thereof made by such entrusted therewith, is no more imputable unto the land or payers, than is the theft of a collector stealing or running away with the same, without making count or reckoning to superiors. It is then a foolish thing to say, that former impositions were peaceably paid, though we saw and were convinced that their use was perverted, and they were used against the good of the land and God’s people: For *no such thing was laid down as the ground, or declared as the end of these exactions*; but what fell out was by the personal abuse and perversion of those in power, which was their own personal fault, and posterior to the legal engagement and submission to the payment thereof by the land in their representatives.”—*Hind let Loose*, Head VII. p. 704.

NOTE XXXII.

THE ANNUITY TAX.

The annuity tax was first proposed to be imposed by Charles I., in a letter to the Town-Council of Edinburgh in 1625, but no steps were taken to carry his recommendation into effect until 1633, when the Council appointed a Commissioner “ to deal with his Majesty for warrant for causing the hail inhabitants within Burgh, without exception, except the Lords of Council and Session, allenarly, to contribute the sum of ten thousand merks for part of payment of the ministers’ stipends, . . . since, of reason, who hears the word, and receives the benefit of the church, ought to pay for the same.” In the following year, the annuity tax was authorized to be imposed by an act of the Privy Council, to which the application from the Town-Council had been remitted by the Parliament, with powers “ to decern, statute, and determine therein as they shall think expedient for the good and weel of his Majesty’s lieges.”

The preamble of the act is very important, showing, as it does, in the clearest manner, that the legislature, in imposing the tax, merely contemplated that those who enjoyed the benefit of attending the ministrations of the clergy of that period, should, in return, contribute for their support—“ that those who serve at the altar may be

entertained aff the altar," through the contributions of their own hearers. In considering the question, whether parties are under a moral obligation to give an active obedience to any law for the imposition of a tax for local purposes—apart altogether from its connexion with religion—it is obviously of great importance carefully to consider the preamble of the act, stating the reasons for which the legislature has imposed the tax; and, if it can be proved that, in consequence of a total change of circumstances, none of the reasons which induced the legislature to pass the act now exist, at least so far as regards a large proportion of the community, who neither require nor receive any of the services, for which alone the tax was imposed, it clearly follows, that there can be no moral obligation on such parties voluntarily to pay it, although, by the operation of an unjust law, their property may be legally attachable for the same, and that they will sufficiently discharge every duty incumbent on them, both as Christians and as citizens, by peaceably allowing their property to be distrained, after having denounced the injustice and oppression in a legal and constitutional manner.

For example, if, under the provisions of an old Act of Parliament, passed when Edinburgh and Leith formed one community, it were still competent for the authorities of Edinburgh to levy a tax from the inhabitants of Leith for lighting and watching that burgh, although, in point of fact, it had long since ceased to be lighted or watched, or in any other way benefited by the establishments of Edinburgh, in consequence of having adopted and supported, at the expense of its own inhabitants, an independent system of lighting and watching, which they believed to be far more efficient than the one established in the neighbouring city; and let it farther be supposed, that the tax was imposed on Leith by this old act, expressly on the narrative, that all its streets and lanes were actually lighted and watched by the establishment which Edinburgh had provided, and that the tax was to be levied for the purpose of maintaining that establishment in all time coming, and for putting it on a more efficient footing, by increasing the number of its officers,—is there any man who would contend that the inhabitants of Leith, in such circumstances, would be guilty of sin by refusing voluntarily to pay the tax to the magistracy of Edinburgh; at the same time telling the collector, that they would offer no resistance to the spoiling of their goods, if what they regarded and denounced as an unjust law should be enforced to that extent? It may be safely affirmed, that there is not one person in a thousand who, in such circumstances, would blame

the conduct of the inhabitants of Leith, far less venture to say that they were guilty of sin. It may, with equal safety, be affirmed, that, in such circumstances, the public feeling would be strongly and loudly expressed in favour of the inhabitants of Leith, and that the authorities of Edinburgh would be universally denounced as worse than Egyptian oppressors, for attempting to compel payment of the tax without performing any one of the conditions on which the legislature stipulated that it should be imposed.

Apart from the religious aspect of the question, the case supposed between Edinburgh and Leith is precisely the case between the Established Church and the Dissenters, so far as regards the collection of the annuity tax. When this tax was first imposed, the great mass of the population of the city was attached to the Established Church, or, at least, did not openly dissent from it; and even those who were dissatisfied with some of the changes in its government which had recently taken place, had not provided stated churches and pastors for themselves. In fact, the inhabitants were required, under penalties, to attend their respective parish churches, and such religious instruction as they did receive was from the Established clergy. The annuity tax was imposed under these circumstances, altogether different from the present, when more than one-half of those who attend public worship have entirely separated themselves from the Established Church, and have provided churches and ministers for themselves and their families at their own expense; and when the Established clergy do not afford religious instruction to one-fourth part of the population of that part of the city which is taxed for their support, the remainder being either Dissenters or persons who do not belong to any religious denomination.

The preamble of the act states that the whole inhabitants attend the Established churches, and hear the word preached by the Established clergy,—that the latter do actually administer the ordinances of religion to the whole population; in return for which services, they are declared to be under a moral obligation to contribute for the support of the clergy. After narrating these facts, the Act very consistently declares, that the whole inhabitants should contribute to the maintenance of the gospel, in those places of worship in which they enjoy the benefit of hearing the same preached; that all who “serve at the altar should be entertained off the altar,”—of course clearly implying, that if there had been any regularly organized Dissenting churches in Edinburgh at the time of the passing of the Act, which were provided with stated pastors and places of worship, the members of these

churches would have been exempted from its operation, as they had already complied with its requirements, by contributing for the support of the gospel in the places where they heard the same preached. It as clearly follows, that the legislature, in first imposing the tax, never contemplated the possibility of its being levied from Dissenters, under the present state of the city, when they form a decided majority of the church-going population.

The preamble of the act is as follows:—"For sae meikle as there is nothing more consonant to equitie and reason, than that all such persons that dailie enjoy in plentie that blessing of the word of God, and hears the same preached, *and does participat the benefit of the clergy, should contribute to the maintenance of the ministrie in these places where they take the foresaid benefit.* And our Soverand Lord and Estates of this present Parliament, understanding that ever since the Reformation, *the whole inhabitants of the said burgh of Edinburgh has enjoyed the foresaid benefits and blessings,* and the common good of the town, which has been given to them for the maintenance of police, has been that way employed, through the inlaicke of other sufficient means for entertaining the ministrie of the said burgh; FOR REMEID WHEREOF, and to the end that *these who serve at the altar may be entertained aff the altar,* and the said common good may be rightly applied to the use whereunto the same has been appointed, our Soverand Lord and Estates foresaid, STATUTE and ORDAIN that the sum of twelve thousand merks [£669:13:4 Sterling] shall be uplifted yearlie of *the whole inhabitants and indwellers within the said burgh* (the Lords of his Majestie's Counsell and Session being onlie excepted), and that according to the quantity and proportion of the maills [rents] which they pay, or the houses where they reside may pay." "And ordains the said sums to be ingathered, *to be applied only for sustentation of the said ministrie.*" It will be remembered that this act was passed while government by bishops existed in the Scotch Church.

In 1648, after the re-establishment of the Presbyterian form of Church government, a public meeting of the magistracy and inhabitants was held in the Parliament-house, at which it was resolved to have twelve ministers, six of them to be paid from funds under the management of the corporation, and six from the annuity tax, which they agreed should be increased from 12,000 to 19,000 merks [£1055, 11s. 1d.]—the meeting considering "*how agreeable it is to conscience and reason, that all those who possess dwelling-houses and enjoy the benefit of God's ordinances in the good town, besides other accommoda-*

tions [in the Established churches?] SHOULD CONTRIBUTE WILLINGLY to the entertainment of God's servants, who dispense the same."

In 1649, an Act of Parliament was passed, which, after referring to the proceedings at the public meeting of inhabitants held in the Parliament-house, approves of the object of the same, and authorizes the sum of 19,000 merks to be raised at the rate of five per cent. on the rental of the city, not excepting the College of Justice, "or any person or persons whatsoever." This act, like the first, proceeds on the assumption that the whole inhabitants of the city attended on the ministry of the Established clergy, and that the annuity tax was to be a payment for duties actually performed, and advantages actually enjoyed by the inhabitants. It narrates, "that the providing and maintaining of the said six ministers doth concern the worship of God, and tend to the propagating and maintaining thereof, in the chief city of this kingdom, from which NONE THAT ARE PARTAKERS OF SO GREAT A BENEFIT *will in conscience withdraw or exeeme [excuse] themselves without great guiltiness before God:* THEREFORE the said estates do statute and ordain," &c. At a later period of the same Session of Parliament, a third act was passed, which, after quoting the former act entire, narrates that it has been ascertained by an actual survey that *five* per cent. will not produce 19,000 merks, and therefore enacts that the tax shall be levied at the rate of *six* per cent., to raise the 19,000 merks for the stipend of six ministers.

These two acts having been passed during the troubles in Scotland, when the Royal authority was at a very low ebb, if not entirely superseded, they fell under the General Recissory Act, passed in 1661, after the restoration of Charles the Second, rescinding all the acts of Parliament passed from 1639 to that date. The annuity tax being still considered a good measure, a new act was immediately passed re-imposing the tax, and making all the out-standing arrears of former years recoverable, notwithstanding the General Recissory Act.

This act of 1661—the fourth of the series—like the other acts, proceeds on the assumption that there were no Dissenters in the city, and no other churches than those by law established; that the whole inhabitants enjoyed the benefit of the preaching of the Gospel from the Established clergy, and that they were *therefore* under an obligation to support the same:—"And upon the consideration foresaid, the inhabitants of the said burgh, *who has the comfort and benefite of the preaching of the Gospel, and ministrie within the same*, be the space of diverse years untill this tyme, has been in use to pay for the provision and stipend of six of the ministers," &c.—"and his Majesty

and Estates, considering that *there is not a more casie* and effectual way than in manner and be the imposition foresaid," the tax is directed to be imposed for the stipends of *six* ministers, but without limiting the sum to 19,000 merks, as in the former acts. In a memorial to the kirk-sessions, which has recently been printed, signed by sixteen of the city clergy (the names of Principal Baird and Dr Lee being wanting), it is contended, contrary to all experience, that this assessment is really a burden on property, and not on the tenants; but the Scottish Parliament, without troubling themselves with fine-spun theories, took hold of the broad common-sense view of the question, and declared (most unfortunately for the theory of the present ministers), that "the said imposition being only payable *be the inhabitants and occupiers* of the said tenements, chambers, booths, cellars, and other houses, *shall not affect the ground*; and that the heritors, and others, having right to the said houses, shall *not* be lyable to the same, *unless they actually inhabit, occupy, and dwell in them themselves*." This act farther declares, that the College of Justice shall *not* be exempted from payment of the tax, "the said ministers' stipends being a cause *so pious and necessarie*."

These are all the acts under which the annuity tax was imposed, and it is undeniable that every one of them proceeds on the assumption that there were no congregations of Dissenters in the city; that the whole inhabitants enjoyed the advantage of hearing the Gospel preached by the Established clergy; and that it was *for this reason* they were required to pay the tax for their support, for value received. From these premises it obviously follows, that since the Dissenters perform for themselves all the duties which the acts require, not merely in accordance with the letter, but with the spirit of their enactments—since they maintain the Gospel for themselves, contributing for its support as required "in those places where they take the foresaid benefit," they are not only *not* bound to contribute for its support in places where they *do not* "take the aforesaid benefit," but it is an act of positive injustice and oppression to require them so to contribute; and the violation both of the letter and of the spirit of the acts rests not with Dissenters, but with Churchmen, who *do not* willingly provide the Gospel for themselves in the places where they "take the foresaid benefit," but insist on their dissenting brethren bearing *a part of their burden*, besides *the whole* of their own. Thus, for example, if by a fair allocation of the burden of supporting the gospel, on the principle explained in the acts, that every man, whether Churchman or Dissenter, should contribute equally "in those

places where they take the foresaid benefit,"—if the expense for each family, on an average, would amount to one pound, the Churchman insists that the Dissenter shall first pay his own pound for the support of the place of worship which he attends, and then pay ten shillings for the support of the Churchman's place of worship; in order that the latter, who enjoys the whole benefit of the same, may have only ten shillings to pay, by his dissenting brother being obliged to pay thirty shillings; and all this he does in defiance of the admonition contained in the act, that no man can refuse to support the gospel for himself "WITHOUT GREAT GUILTINESS BEFORE GOD."

The author cannot help thinking, that if the Established clergy were seriously to consider these things, many of them, in place of blaming the Dissenters, and especially dissenting ministers, for resisting the tax, would positively refuse to receive it from them, it being altogether out of their power to perform any one of the conditions to them, on which alone the legislature declared the tax to be exigible. That a very small proportion of the inhabitants of the ancient and extended royalty of the city, over which alone the annuity tax is leviable, attend the thirteen city churches, for the ministers of which it is exclusively appropriated, can easily be proved from documents of unquestionable authority. The Return, printed by the Town Council, of 20th February, 1837, regarding the seats let in the city churches, shows that only 5867 sittings are let to inhabitants of these districts, out of a population of 55,000. Allowing for the younger members of those families who attend the Established churches, and for those persons and their families who occupy seats without paying for them, it may be assumed that the whole population connected with these churches, is about 14,000 (exclusive of those who attend churches beyond the boundaries of the royalty), or one-fourth of the whole. Now the annuity tax was imposed on the condition that religious instruction should be provided for, and received *by the whole population*. Has this condition been implemented? It has to the extent of one-fourth part of what the legislature contemplated; but the Established clergy demand the same amount of taxation as if there were no Dissenters, and as if there were a sufficient number of churches and ministers for the proper pastoral superintendence of the whole population of the city. The effect of this is, that each of the present ministers receives a proportion of the annuity tax greatly beyond what was contemplated by the legislature when it was imposed. A strict construction of the spirit of the act would require the produce of the annuity tax to be equally divided among all the congregations which

support the gospel for themselves, in proportion to their respective numbers; but as none of the dissenting congregations would accept of any part of the proceeds, justice requires, at least, that the members of these congregations should not be compelled to pay for the support of the Established clergy in addition to their own; and it has been already shown, that they are under no moral obligation to make such payments.

It is scarcely necessary to notice, for the present purpose, the general acts of 1767, 1785, and 1786, extending the royalty of the city; and, consequently, all the city taxes, including the annuity, over the grounds on which the new town has been erected, as these acts merely spread the burden of supporting the six ministers over a larger surface than formerly, without interfering in any way with the provisions of the act of 1661, which is still the leading authority under which the tax is levied. In the act of 1809, a clause was inserted without the usual Parliamentary notices to that effect being given, by which the tax was authorized to be levied for the stipends of all the ministers of the city, then seventeen, and now eighteen in number. The history of this "smuggled clause," which was framed by the ministers, with the law proceedings which followed thereon between them and the magistracy, and which, in 1813, ended in the ministers being declared to be the absolute proprietors of the tax, is too long for insertion in a note, but will be found minutely detailed in Mr M'LAREN'S History of the Resistance to the Annuity Tax.

The annuity tax is plainly a *religious* tax, in contradistinction to a *civil* tax. It has this quality in common with tithes and tiends, which are nothing but taxes on land for the support of a particular form of Christianity. It is exacted for the support of a portion of the clergy of the Presbyterian Establishment in this city; and, in the preamble of the statutes which enact it, its enactment is grounded on the religious principle, "that nothing is more consonant to equity and reason, than that all such persons that daily enjoy in plenty that blessing of the word of God, and hears the same preached, and does participate the benefit of the clergy, should contribute to the maintenance of the ministric in these places where they take the foresaid benefit."

Like all taxes of the same general kind, it is objectionable, on the ground of its enactment being really *ultra vires* of the civil magistrate; where there are Dissenters, it is farther objectionable, on the ground of its injustice in requiring men to pay for what they derive no ad-

vantage from, it being “*inconsonant to equity and reason,*” that any person who does not “*participat the benefit of the clergy*” should be required to “*contribute to their maintenance ;*” and where these Dissenters conscientiously disapprove either of the existing Establishment, or of all Establishments, it is still farther objectionable, as, in their estimation, it not only rests on an unjust law, but on a law “*establishing iniquity by a decree,*” and requiring them to take a direct part in upholding it.

The annuity tax, besides the objectionable character which belongs to it in common with all religious taxes, has faults peculiar to itself. It is not an *equal* tax—even supposing all the citizens supporters of the Established Church—the rent of houses being a very incorrect mode of ascertaining the wealth of those who occupy them—the taxation of shops, obliging the mercantile part of the community to pay much more than their fair proportion—to say nothing of that gross insult to every thing like fairness, the entire exemption from the impost of one of the wealthiest bodies of the community, by far the greatest part of which profess the Established creed : and no unprejudiced person can read the clear and well-supported statements of Treasurer M'LAREN, in his History of the Resistance to the Annuity Tax, without being convinced that, from circumstances connected with the obtaining the act under which at present the tax is levied, since 1809 it has been an illegal tax.

The considerations, that the tax is for a purpose for which no civil magistrate can have a right to impose or levy tribute—that it is unjust to Dissenters—that it is unequal, and that it is illegal, are, I apprehend, quite sufficient not only to warrant, but to require those subjected to it to use constitutional means to get rid of it ; but they do not make it obligatory on them not to pay it. If, however, they are conscientiously persuaded that all civil Establishments of religion, or that the civil Establishment of religion existing in this country, is inconsistent with the will of God, then I cannot perceive how, with a good conscience, they can *voluntarily* pay it. They cannot safely, actively support what they know to be sinful. There is—there can be—no sin in suffering, in consequence of declining this active concurrence.

Much anxiety has been discovered, and much ingenuity wasted in endeavouring to make out that the clergy have, properly speaking, a property in the tithes and teinds, and to identify the annuity tax in this respect with those sources of the income of the Established Churches. The tithes and the teinds are just a very ancient tax on

landed property, assigned by the legislature for the payment of a certain class of functionaries. Had it been assigned for the maintenance of soldiers or of tax-gatherers, it would not have altered the nature of the impost. With regard to the annuity tax, all attempts to prove it a burden on house property, of the same kind as tithe or teind is on landed property, have completely failed. It is just a tax on a certain class of the inhabitants, and the houses have no more to do with it than as their situation defines the geographical limits of the tax, and their rent fixes the amount of the tax. The truth on this subject has been not only so clearly stated, but so fully demonstrated by Dr MURRAY, in his acute and luminous tract, "*On the Incidence of the Annuity Tax*," that it is very difficult to persuade oneself, that those who have, since its publication, held the doctrine that that tax is an impost on property, have ever perused that admirable lesson in the science of Political Economy.*

* The following statements are quite unanswerable :—" This impost cannot fall on landlords ; that is, rents are not so much lower on account of this burden, nor would they be so much higher if it were abolished. The value of houses, where there is no monopoly or exclusion—and consequently their rent—are determined, like the worth of every other commodity, by the price of their production, or building, including the feu or ground-rent. They must make this return ; they must yield the average rate of profit, else they would not be produced. But they cannot, building being free, and there being a free market for house-property, yield more. If they yielded more, house-building would be the best of employments, and capital would consequently be attracted to it, till competition lowered profits to the average rate. Now, the annuity tax does not enter into the price of production. It is, in fact, extrinsic of production. It is not leviable when a house is uninhabited, and is payable only when a house is occupied. If the tenant does not, or cannot pay, or, by absconding, eludes payment, it is never laid on the landlord nor on the property, no more than the assessed or other taxes are. Neither the landlord, in truth, nor any other individual, has any connexion with the impost in question : the tenant only is responsible for it. To say, then, as is said even by persons who should know better, that this tax is ultimately borne by landlords, though paid in the first instance by the tenants, is to violate the most obvious principle. There is no peculiarity about this tax. It partakes of the very same elements as, for example, the police and assessed taxes. The incidence of all these burdens are the same ; they are paid directly and ultimately out of the pockets of the individuals on whom they are levied. * * * * *

" As the annuity impost does not enter into the price of production ; as it is leviable only from tenants, and landlords are not responsible for it ; as, if transferred from tenants to landlords, it could not, under any circumstances, building being free, materially affect rents, and could not, owing to peculiar

This is a question, however, which does not go deep into, or rather does not at all affect the far more important question we have before us—the safety, in a conscientious point of view, of a principled Dissenter, voluntarily paying a tax for the support of an Established church. It matters not to me that there is the most abundant evidence that this is the law of the land, and that it has long been the law of the land. “That which is in itself morally wrong in the sight of God,” to use the words of an Episcopalian churchman, “can never become morally right by the mere *fiat* of an act of Parliament.”* If the law of the land requires me to do what I believe to be inconsistent with the law of God, I have no alternative, but to decline compliance with the law of the land. The law of the land has power to enforce its own exactions. It may take, but I must not give.

It has sometimes been said,—but what would become of the Established clergy, if the principles upheld in the foregoing exposition were generally acted on? The answer to that question is different, according as you reply to it on the voluntary or on the compulsory principle. On the voluntary principle all is plain and easy. “Nothing,” as the preamble to the Annuity Act says, “is more consonant to equity and reason, than that the persons that dailie enjoy in plentie that blessing of the word of God, and heares the same preached, and does participat the benefit of the clergy, should contribute to the maintenance of the ministrie, in those places where they take the foresaid benefit.” The adherents of the Established Church in this city form a great majority of the wealthier classes; and Dissenters are somewhat astonished that they should permit those ministers, many of whom so well deserve their esteem, and for whom they loudly proclaim their affectionate regard, to suffer the slightest inconvenience from the difficulty of collecting their legal income, in consequence of the peculiar odiousness of the impost from which it is chiefly derived.

If the question is to be answered on the compulsory principle, then the reply is—It is a question of expedience, whether it would be better to persist in using the power which the law, as at present understood, gives, to raise the income of the clergy, by an impost which is all but universally condemned, or to take means to have this matter put on

circumstances, affect them at all in this city, it hence follows, that this impost constitutes a burden solely on tenants, and is entirely borne by them.”—*The Incidence of the Annuity Tax*, by Thomas Murray, LL. D. Edin. 1834.

* Acaster—The Church in Danger.

a footing which, though of course not satisfactory to Dissenters, would yet not directly interfere with their conscientious convictions, and be free from those peculiarities which have made the annuity tax very generally considered, even by Churchmen, an intolerable nuisance. It must strike every reflecting mind, that if there is to be an Established Church at all, the least objectionable mode of paying its clergy is directly from the public purse; and that tithes and teinds almost necessarily occasion frequent disagreement between the minister and his parishioners. But if human ingenuity had been tasked to produce the plan which would throw most obstacles in the way of the clergy of a city answering the great spiritual ends of their functions, nothing more perfect in its kind could have been the result than our annuity tax.

With the most friendly feelings towards the city clergy, as Christian ministers, I have often wondered that an enlightened regard to their own interest, as well as the interests of religion, had not long ago induced them to go, along with the citizens, to Parliament, and insist that while they had as good a right to a respectable maintenance as any other class of ministers in the church, they could not consent to continue to be supported in a manner so hateful to the great body of the people, and of course so hostile to the success of their ministerial labours; and if possible, I have wondered still more, that when an arrangement was proposed by our municipal rulers, which would have got rid of many of the evils connected with the present system, the proposal, instead of being hailed by the clergy, as a boon, was resented by them, as an insult.

The concluding words of Dr Murray's Tract, already referred to, published three years and a half ago, seem almost prophetic. Part of the prediction has been fulfilled; and if there is not a little more wisdom manifested in certain quarters, the rest may be accomplished sooner than they think. "Assuredly if the annuity tax, in any shape or under any circumstances, be continued, it will not fail to aggravate the present excitement, to withdraw more and more both the affections and respect of the people from our most respectable clergy, and ultimately, perhaps, endanger the very existence of our national church." When the Establishment falls, it will be pulled down by the hands of its supporters; and the result, however unlooked for by themselves, will surprise no other body. They are pulling very hard just now.

This was true when this note was written ten months ago. It is to a much greater extent true now. The late doings of the General Assem-

bly of the Church of Scotland, and of its Commission, are a direct attack on the very vitals of the Establishment. While our northern presbyters are as busy as any Voluntary's heart could wish in demolishing "the kirk"—the Bishop of Exeter seems equally bent on "dinging down the cathedral," as our gifted countryman Tennant, (in whom philological erudition and poetical genius meet in uncommon but not unseemly union) has it. Sound-minded, far-sighted churchmen, like Dr George Cook, may cry "*Quid miserum laceras? parce pias scelerare manus.*" We cannot but wish them success.—The lessons they have given do not seem to have been lost on our secular rulers—and we cannot regret this, for we have a confident hope, that the day of the Establishments' funeral will be the day of the Churches' resurrection.

NOTE XXXIII.

REMARKS ON THE ASSOCIATE SYNOD'S ACT RESPECTING CHURCH PAYMENTS, 1752.

The doctrine which I have taught and acted on in reference to the payment of tribute, has been represented as something like an inconsistency in a person connected with the United Secession Church; and in proof of this, I suppose, repeated reference has been made to an act concerning church payments in England and Ireland, passed by the Associate (Antiburgher) Synod at Edinburgh, March 4, 1752, —of which the following is a copy:—

"The Synod resumed farther consideration of the affairs relating to various payments required by the order of civil society in England and Ireland; particularly from some people there who are under the inspection of this Synod; which payments are applied for supporting the Episcopal Churches there, in their present state of corruption and superstition. After some time spent in reasoning and deliberation on the subject, with prayer for light and direction in the case; the Synod agreed in declaring, That though the afore-mentioned payments are applied to the support of manifold corruptions and superstitions in those Episcopal Churches, which we are essaying to testify against, and which all ranks of persons in these lands ought to be humbled for before the Lord, as being deep causes of his wrath against and controversy with them; yet the Synod did not find a relevant

ground for scruple of conscience, about submitting to civil authority in the foresaid payments, as if this could imply any homologation of the foresaid corruptions and superstitions, or of what application is made of those payments unto the support thereof, while the payers are openly engaged in a public testimony against the same, and are not suppressed in the maintenance of that testimony, but are protected in the exercise of their civil and religious liberties, and the said payments are made only in a compliance with the common order of society."—*Gib's Display*, vol. II. p. 125.

To this act Mr Gib appends the following note :—" As hath been observed elsewhere, persons may reckon themselves safe in point of conscience to comply with all simple payments (that is, payments without any concomitant declaration of consent to the uses made thereof) according to the civil order of society, whether statute or common-law, in any country where they are enjoying the benefit of government (no way like the case of our late sufferers who were thrown out from the protection of government, and yet were required to pay *a cess* for the express purpose of hiring soldiers to kill them), without reckoning themselves any way answerable for the government's application thereof, while they are otherwise studying honesty with respect to public corruptions.

" What of a person's substance is required by common or statute law, or by the common order of civil society, cannot be reckoned his own,—more than the rent which is in a tenant's hand can be reckoned his own ; and, consequently, the payment of it can no more infer an approbation of the uses to which it is applied by those to whom it is paid, than a tenant's payment of his rent can infer an approbation of the debauched uses, perhaps, his master makes of it.

" Hard exactions were made on the Israelites in Egypt, and what of their effects or workmanship they were obliged to give up, was, no doubt, partly applied to the worst of uses ; but this was considered as their affliction, and non-submission to such exactions was never charged on them as their sin. The Israelites likewise paid heavy taxes under the Babylonish captivity ; which, no doubt, was partly applied to the worst uses of heathen idolatry : and they complained of this as a heavy trial (Neh. ix. 36, 37), but they never confessed it as their transgression."

It may be right to state, that, while I regard with great respect the worthy men who, met in council, gave the above utterance of their

judgments—I hold along with them, that “all Councils and Synods since the Apostles’ times, whether general or particular, may err, and many have erred,”—that acts of Synod were never, in the Secession, placed on a level with the symbolical books, far less with the Bible—and that at the union of the two great bodies into which the Secession had been divided, an approval of the acts of either of the two Synods, formed no term of the consociation. With the document I therefore have nothing to do, but so far as it may contain in it a statement or proof which may invalidate the principle I hold and act on. In this aspect, let us look at it for a little.

With regard to the act itself, it is plain that it is only on the hypothesis, that the payment of the religious taxes referred to did not homologate the corruptions and superstitions of the Churches of England and Ireland, the Synod declare the payment safe; and it is equally plain that, but for their being openly engaged in a public testimony against these corruptions and superstitions, they would have considered said payment as homologation, and on that ground would have condemned it: and it seems still farther evident, that had any of the people under the inspection of the Synod declared that they could not help considering it as homologation, the Synod would have, with the Apostle, said, “It is evil to him who” payeth “with offence. He that doubteth is condemned if he” pay—“because he” payeth “not of faith: for whatsoever is not of faith is sin.”†

The notes appended to the act are not by the Synod, but by the able and acute editor of their proceedings, the Rev. ADAM GIB. The first paragraph has no bearing on the question before us. In it we are merely taught, what I firmly believe, that the fact that a government does not make the best use of the public revenue, is no sufficient reason for refusing to pay the taxes by which that revenue is raised. The case supposed in the second paragraph is not parallel to that of a person required to pay a religious tax for a purpose which he conscientiously disapproves. The parallel case is this: The landlord not only wastes his rent, which I pay him, in vicious indulgence, but he exacts from me what he never had a right to, and requires me to pay it not to himself, but directly to some minister of his vile pleasures, for the express purpose of securing his services. In the estimation of the really conscientious refuser to pay a religious tax, the civil magistrate has no right to levy a religious tax; and when he does levy it, he requires him to pay it directly to the support of what he considers as inconsistent with the will of God. I

* Westmin. Conf. of Faith, c. xxxi. § 4.

† Rom. xiv. 20-23.

really think the tenant could not be justly blamed if he said—I will not only pay you the rent I owe you, but, rather than quarrel with you, I will pay also what I do not think you have any claim on me for, if you require it, just as additional rent; but I never will become the pander of your vices—the partner of your crimes. In like manner, I can see nothing blameworthy in saying I will not refuse to pay whatever the government may demand of me for the general purposes of civil rule, even though the demand should appear to me unreasonable; but if they ask of me money for a purpose which I believe to be wrong, they may *take* it from me, but they shall not *get* it from me. The cases referred to in the third paragraph are obviously not at all to the point. We have no reason to believe that in Egypt or in Babylon, or under the Persian kings, a specific tax for the support of idolatry was levied of the Israelites. I am persuaded that if, under the Syro-Macedonian dynasty, any such impost had been exacted, the spirit of the Maccabees would have prevented its payment.

NOTE XXXIV.

EXPOSITION AND DEFENCE OF THE PRINCIPLES OF THE FRIENDS RESPECTING CHURCH TAXES.

J. J. GURNEY.

“It is certain that, whenever these demands (tithes and other ecclesiastical imposts) are made on the true and consistent Friend, he will not fail to refuse the payment of them; not because such refusal is generally insisted on in the Society, but because the religious sentiments which he has embraced, and which have been explained in these essays, inevitably lead him, if he be faithful, into that result. He feels that it is a duty, laid upon him by his Divine Master, uniformly to maintain the spirituality and freedom of the Christian ministry; nor will he venture, *by any action of his own*, to lay waste his principle, and to weaken the force of truth, with respect to so important a subject. Such an action, the voluntary payment of tithes must unquestionably be considered.

“This conclusion is by no means affected by the consideration that the payment of tithes is imposed on the inhabitants of this country by the law of the land; and that, therefore, the clergy have a

legal claim to such a remuneration. Faithful as Friends desire to be to the legal authorities of the state under which they live, it is plain that, as Christians, they cannot render to the law an *active* obedience in any particular which interferes with their religious duty; that is to say, with their duty to an infinitely superior power. They cannot obey man rather than God. The only obedience to the law, which can be allowable under such circumstances, is that which the most scrupulous Quaker will not be found to withhold—I mean, a *passive* obedience. It is no part of the practice, and it would be altogether inconsistent with the sentiments of the Society, to *resist* the ‘powers that be.’ In those matters, in which they find an active compliance with the law, precluded by the dictates of conscience, Friends are, I trust, prepared to suffer, and quietly to allow the law to find its own course. While they abstain from taking any part themselves, in those things which they deem to be wrong, they are ready to stand still, and abide by the consequences. On these grounds, therefore, although they refuse to pay tithes, they oppose no resistance to those legal distrains by which tithes are taken from them. It is surprising that any persons of reflection should form an opinion (not unfrequently expressed), that there is no essential distinction between these practices, and should assert that the suffering of the dstraint, in a moral and religious point of view, is tantamount to the voluntary payment. The two courses are, in point of fact, the respective results of two opposite principles. The Friend, who voluntarily pays tithes, puts forth his hand to that which he professes to regard as an unclean thing, and actively contributes to the maintenance of a system which is in direct contrariety to his own religious views. The Friend, who refuses to pay tithes, but who (without involving himself in any secret compromise) quietly suffers a legal dstraint for them, is clear of *any action* which contradicts his own principles. He only follows up another branch of those principles, in not opposing force to force, and in rendering a passive obedience to the law.

“It is sometimes remarked that, in refusing to pay tithes, Friends withhold the property of their neighbour; and thus, in their endeavour not to counteract their own views on the subject of a free ministry of the gospel, involve themselves in a breach of common integrity. Now, it appears to us that such a charge is wholly fallacious. Although, in the first place, the conscientious Friend cannot take any active part in the satisfaction of Ecclesiastical demands, he opposes no obstruction to those legal operations by which that satisfaction is, without difficulty, obtained. And, secondly, we deem the

notion, that any part of the produce of our lands is the property of the priest, to be destitute of any sound foundation. If it is his property, his title to it must be clear and unexceptionable. On what, then, rests the title of the priest to this supposed property? On the assumption of a *divine right* to the tithes on the part of the church, and on the recognition of that *divine right* by the British legislature.— See *Statutes at large*, 29 Hen. VIII. ch. 20. Since almost all Protestants allow that no such right exists, and since, for our own parts, we are persuaded that the assumption of it is directly opposed to some of the leading principles of Christianity, we cannot admit that the priest has any valid title whatsoever to a property in any part of the produce of our lands. His claim, however groundless in itself, is indeed sanctioned by the law of the state; and the individual who buys land, pays a smaller sum of money than he otherwise would have done for his purchase, because it is known, by both parties, that a certain proportion of that which is annually grown upon it can be legally claimed, and will be actually taken by the Ecclesiastical incumbent. Nevertheless, every particle of the land which a man purchases, or inherits in fee, is his own property; so that he can, at all times, use it as he pleases—crop it profitably—crop it unprofitably—or allow it to run to absolute waste and ruin. And as every particle of the land is his own property, so also is every particle of its produce; unless, indeed, he let the land to another person, when the produce of it becomes, on certain conditions, the property of his tenant.” * * * * *

“ I have already found occasion to observe, that the *legality* of Ecclesiastical claims is no just or sufficient cause why Friends should take any active part in satisfying them. I may now advance a step farther, and remark, that the establishment of such claims by the law of the civil state, is, in itself, one reason among others, which renders a refusal to comply with them binding on their consciences. For, by refusing to pay tithes and other Ecclesiastical demands imposed upon them by the law of the land, they express their dissent from that compulsory support of the hierarchy which originated during the darkest ages of Papal superstition; and, *generally*, from the interference of merely human and civil authority with the affairs of religion.

“ No one, who takes a calm and just view of the condition of mankind will deny the usefulness and importance, within their own sphere, of established forms of government, and of those various restrictions and regulations by which the order and comfort of civil so-

ciety are promoted and maintained ; and the reader is probably well aware that the Friends, as well as other Christians, consider it to be their bounden duty, in civil matters, to obey ‘ the powers that be,’ and to be faithful in rendering ‘ unto Cæsar the things which are Cæsar’s.’—Matt. xxii. 21. We apprehend, however, that the affairs of religion appertain not to any civil polity, but to the kingdom of heaven : or, as it is otherwise described, the kingdom of God and of Christ. Although, if we are true Christians, we cannot fail to render to our earthly rulers the homage and service which are their due ; yet, in those things which appertain to the salvation of the soul, we profess to call no man master, but to live under the undivided reign of Christ himself. The law which Christians are bound, in such matters, to obey, is revealed in the Holy Scriptures, and is engraven on their hearts ; and we believe that their Celestial Monarch exercises his dominion over them principally by an unseen and spiritual agency, with which no mortal, nor set of mortals, can ever possess authority to interfere. Now, this kingdom or reign of Christ is not of this world. The head of it is Almighty ; and, in the prosecution of his glorious designs for the extension, edification, and final perfection of his church, we are persuaded that he neither requires the protection, nor sanctions the interference, of the laws and governments of men.

“ In thus stating a very important *general* sentiment, there are two or three points which I think it desirable to guard. In the first place, it ought to be observed, that there is nothing in that sentiment intended to be opposed to those internal regulations which are adopted, for the maintenance of its own order, by every religious society : for I conceive that, if such regulations are properly formed, and the officers on whom it devolves to execute them are rightly appointed, the discipline thus established in the church, is so far from interfering with the government of Christ, that it is rather to be considered (according to various declarations of Scripture) as one of the means through which that government is conducted. And, in the second place, it cannot be deemed, on religious grounds, objectionable, when the civil authorities come forward, either by the exertion of prerogative, or by the enactment of law, to prevent those various breaches of *Christian* morality (including drunkenness, gaming, Sabbath-breaking, &c.), which plainly interfere with the true welfare of the body politic.

“ The history of the last eighteen centuries does indeed afford, in various ways, a strong presumptive evidence that the cause of true

Christianity has very materially suffered in the world, in consequence of the forced and arbitrary connexion between two systems, founded on such different principles, regulated by such different laws, and directed to such different objects, as those of the *Church* and the *State*. While it does not appear that the *State* has derived any real advantage from its supposed union with the church, it is, probably, in a great measure, the consequence of such an union (invented and contrived as it has been by the wisdom of man), that the *Church* has assumed, in almost all Christian countries, so secular a character, that Christianity has become so lamentably mixed up with the spirit, maxims, motives, and politics of a vain and evil world. Had the union in question never been attempted, pure religion might, probably, have found a freer course,—the practical effects of Christianity might have been more unmingled and more extensive, and it might have spread its influence in a much more efficient manner than is now the case—even over the laws and politics of kings and nations.

“ It was in the reign of the Emperor Constantine (A. D. 325), that the Christian religion was first established by law, forced into connexion with the body politic, and handled as a matter appertaining to the State. Now, though we ought not to attribute to a single cause an effect which may have had its origin in many, we cannot but be confirmed in our view of the present subject, when we remember that, before its union with the State, our holy religion flourished with comparative incorruptness; and that afterwards, it gradually declined in its purity and its power, until all was nearly lost in darkness, superstition, and spiritual tyranny.

“ Independently, however, of these considerations, which relate to the interference of civil authority with the affairs of religion in general, there appears to be a distinct moral objection to the legal establishment, in any country, *of a particular form of Christianity*, to the disparagement of other modifications of the same essential religion. However the provisions of such a legal establishment may have been rendered liberal, and softened down (as has been so evidently the case in Great Britain) by the powerful operation, on the legislature, of public opinion, it may reasonably be questioned, whether there must not always exist in these provisions a radical opposition to a free, unbiassed, and inexclusive religious liberty. I would therefore suggest, that we cannot conscientiously contribute, in an active manner, by the voluntary payment of tithes, or church-rates, to the maintenance of the Established Church, not only because we object to the system on which it is in various respects conducted, but

also because it appears to be inconsistent with the divine law, that any human government should compel us, either to adopt for ourselves, or to uphold for others, *a mode of religious worship at variance with our own principles.*

“It ought to be noticed, that, although several observations offered in the present chapter relate principally to *tithes*, most of them are, on general grounds, equally applicable to other ecclesiastical taxes,—such as those denominated *church-rates*. *Tithes* and *church-rates*, though differently applied in detail, are intended for the support of one and the same system; and the Friend who refuses to pay church-rates, as well as he who refuses to pay tithes, *thereby expresses his dissent from that system.*”—*Observations on the Religious Peculiarities of the Society of Friends*, by Joseph John Gurney, pp. 180–183, pp. 187–190. Lond. 1826.

JONATHAN DYMOND.

“What is he who conscientiously disapproves of a state religion to do? Is he, notwithstanding his judgment, to aid in supporting that religion, *because* the law requires it. No: for then as it respects him, the obligation of the law is taken away. He is not to do what he believes Christianity forbids, because the state commands it. If public practice be a criterion of the public judgment, it may be concluded that the number of those who do thus believe respecting our state religion is very small; for very few decline actively to support it. Yet when it is considered how numerous the dissenters from the Establishment are, and how emphatically some of them disapprove the forms or doctrines of that Establishment, it might be imagined that the number who decline thus to support it, would, in consistency, be great. How are we to account for the fact as it is? Are we to suppose that the objections of these persons to the Establishment are such as do not make it a case of conscience, whether they shall support it or not? Or are we to conclude that they sacrifice their conscience to the terrors of a distraint? If no case of conscience is involved, the dissenter, though he may think the state religion inexpedient, can hardly think it wrong. And if he do not think it wrong, why should he be so zealous in opposing it, or why should he expect the church to make concessions in his favour? If, on the other hand, he sacrifice his conscience to his fears, it is obvious that before he reprehends the establishment, he should rectify himself. He should leave the mote till he has taken out the beam.

“Perhaps there are some who, seriously disapproving of the state religion, suspect that in Christian integrity they ought not to pay to

its support,—and yet are not so fully convinced of this, or do not so fully act upon the conviction, as really to decline to pay. If they are convinced, let them remember their responsibility, and not know their Master's will in vain. If these are not faithful, where is fidelity to be found? How shall the Christian churches be purified from their defilements, if those who see and deplore these defilements, contribute to their continuance? Let them show that their principles are worthy a little sacrifice. Fidelity on their part, and a Christian submission to the consequences, might open the eyes, and invigorate the religious principles of many more: and at length the objection to comply with these unchristian demands, might be so widely extended, that the legislature would be induced to withdraw its legal provision; and thus one main constituent of an ecclesiastical system, which has grievously obstructed, and still grievously obstructs, the Christian cause, might be taken away.

“As an objection to this fidelity of practice, it has been said that since a man rents or buys an estate for so much less, because it is subject to tithes, it is an act of dishonesty, afterwards to refuse to pay them. The answer is this,—That no dishonesty can be committed, while the law exacts payment by distraint; and if the law were altered, there is no place for dishonesty. Besides, the desire of saving money, does not enter into the refuser's motives. He does not decline from motives of interest, but from motives of duty.”—*Dymond's Essays on the Principles of Morality, and on the Private and Political Obligations of Mankind*, vol. ii. Essay iii. Chap. xvi. Lond. 1830.

RULES OF DISCIPLINE.

The following extracts from “*The Rules of Discipline of the Religious Society of Friends*,” a work of public authority in that denomination, will still farther explain the grounds on which that respectable body refuse to pay church taxes. “Our testimony against tithes and forced maintenance in this gospel day, being received from Christ our Head and High Priest, is not of our own making, or imposing, nor from the tradition of men.”—“If all friends had been faithful in their testimony against tithes, the time of our deliverance from that oppression under which this nation yet groans, would have been nearer at hand.”—“As we have been convinced of the inconsistency of tithes with the nature of the Gospel dispensation, it is our necessary duty to act agreeably to such convictions; and if sufferings for our testimony shall be the consequences of our obedience thereto, it will become us, after the example of the primitive Christians, cheer-

fully to submit, and to take joyfully the spoiling of our goods; that so we may preserve a conscience void of offence toward God, and at the same time, by our Christian meekness and innocent deportment, give reasonable evidence of our sincerity to men."—"We tenderly exhort that this branch of our Christian testimony be not laid waste by connivance or private agreement with priests or impropiators, but that all abide patient under that testimony which the Lord hath called us to bear, not doubting but that the gradual progress of real Christianity will at length operate to the removal of a yoke so directly contrary to the liberty wherewith Christ has made us free."—"The forced maintenance of the ministers of religion is in our view a violation of those great privileges which God in his wisdom and goodness bestowed on the human race, when he sent his Son to redeem the world, and by the power of the Holy Spirit to lead and guide mankind into all truth." "The vesting of power by the laws of the land in the King, assisted by his Council, whereby articles of belief have been framed for the adoption of his subjects, and under which the support of the teachers of these articles is enforced, is, in our judgment, a procedure at variance with the whole scope and design of the Gospel, and as it violates the rights of private judgment, so it interferes with the responsibility by which man is bound to his Creator."—"It is our firm conviction, that in proportion as the heavenly precepts, and the blessed example of the Son of God, who is given of the Father to be Lord of all, spread and prevail, and effectually rule in the hearts and consciences of men, in proportion as the pure doctrines of the gospel gain the ascendancy, it will be seen that to uphold any church establishments by compulsory laws, which oppress the consciences of sincere believers in the Lord Jesus, is at variance with his holy law, and is calculated to retard the universal spread of his reign."—*Rules of Discipline of the Religious Society of Friends, with Advices, being Extracts from the Minutes and Epistles of their Yearly Meeting held in London, from its first institution*, pp. 254–261, third edition, 4to. London, 1834.

NOTE XXXV.

DR WATTS' DISAPPROBATION OF A CIVIL ESTABLISHMENT OF RELIGION, AND REASON FOR PAYING CHURCH TAXES.

In his valuable tract "on Civil Power in Things Sacred," the Doctor clearly and satisfactorily shows the impropriety of a civil Establishment of religion. "Another question," says he, "arises here : If the supreme power of the state, or civil government, professes some particular revealed religion, or worships the great God with some peculiar modes and ceremonies of its own, may not the rulers of the state authorize and appoint men to be public teachers of their own religion in all the forms and ceremonies thereof ? And may not these men celebrate these ceremonies by public authority, and lead others into the worship of their God, according to these special forms and ceremonies ? And may not the rulers appoint those teachers or priests to be paid out of the public revenue, or by tithes, &c., that is, tenths or twelfths of the improvement of the land, or by taxes imposed by the government ?

"To this I answer, that every governor, every teacher, and every single person seems to have a natural right and liberty, not only to practise their own religion themselves, but to persuade as many as they can, to worship the God they worship, and that in and by their own approved forms. If duty to God should not require it, benevolence and love to our neighbours will incline men to this. But we must attempt it only so far as reason and persuasion can prevail, without any compulsion or force, for conscience and religion must be ever free. Whatsoever is done by mere compulsion and terror of men, is not voluntary ; and, therefore, it is not religion, and can never be pleasing to the great God.

"But yet I cannot see any sufficient reason why a state should appoint the peculiarities of any revealed religion, or the special rites and ceremonies of any particular worshippers, or the men who celebrate them, to be supported at the public charge : for these peculiarities are not necessary to the preservation of the state, nor to the common outward civil welfare of a people : and I think the power of the magistrate reaches no farther.

"Nor will I venture to say that taxes, or tenths, or twelfths, or any subsidy, should be raised by the state for any other end, than the civil welfare of the state requires. If a heathen prince impose a tenth

penny on all his subjects, as a tax to maintain heathen worship, would a Christian willingly pay it, and think himself bound in conscience to do it? Is not this evidently the reason why the people called Quakers, in our nation, at home or abroad, refuse to pay the tithes to the clergy of the Church of England, or of other Christian churches, because they preach and practise many things in religion which the Quakers do not believe, which the light of nature and reason does not dictate, and which are not necessary to the outward and civil welfare of mankind."

All this is quite as it should be; but what a sad falling off is there in the apology which he immediately offers for the payment of Church taxes by Dissenters, who conscientiously disapprove of an Established Church? "I do not, by any means, here pretend to vindicate the refusal of tithes and dues to the Church in our nation; for they are to be considered as a civil or national tax or incumbrance, belonging to every piece of land, or house bought or rented, and so appointed by our laws: and, therefore, every man knowingly buys or hires his land, or his house, with this incumbrance fixed on it, and belonging to those whom the state appoints to receive and possess it. But on the first framing or erecting a civil government, one would not choose to have such laws made, or such taxes or incumbrances established at first, which would afford any colour and occasion for such a refusal and disobedience in times to come, as may arise from real scruples of conscience."—*Watts' Works*, vol. iv. pp. 24, 25.

The sophism in these words is fully exposed in the preceding note. Can time make wrong, right? And am I to be prohibited from being a proprietor of land, or an occupier of a house, unless I am ready to do what to me is sinful, as being inconsistent with my conscientious convictions—though quite prepared to suffer the penalty?

NOTE XXXVI.

CONSCIENTIOUS SCRUPLES IN REFERENCE TO THE PAYMENT OF CHURCH TAXES.

Few things can more strikingly illustrate the assertion made in the text, than the following letter, by an esteemed Christian friend, which has been addressed to the Chamberlain of the City of Edinburgh, in consequence of legal measures for enforcing the payment

of the annuity tax having been suspended during the trial of the question as to the legality of the appointment of the Stent-masters, according to whose valuation the amount of the tax on individuals was apportioned.

“SIR,—I understand I am likely soon to be applied to, for payment of ‘annuity tax,’ and therefore think it proper, through you, to inform those who have the direction of the collection, that, as matters now stand, I cannot conscientiously comply with the demand, and therefore must decline compliance. Hitherto I have paid the tax on demand, being satisfied that the enactment by which it was imposed, proceeding, as it did, from unquestionable legislative authority, merely required me *to pay money*, and thus to bear my share of a ‘tribute’ which the government I have the happiness to live under, saw it fit to require,—a government which I am, and hope ever shall be, disposed cheerfully to obey. The enactment in no way either required or authorized me to judge of its propriety, or to concern myself with the application of the money,—the information conveyed by the Collector’s receipts being merely the mode of my knowing that the demand was legal, and of my being able to show that I had complied with it.

“It is now matter of public notoriety that payment of the tax is not enforced, and thus that the statutes by which it was imposed are at present in abeyance. It is therefore left to every one to judge of the propriety of the purpose, for which the demand is made ; and that judgment every one is bound to form, every one being responsible for the consequences of what he does.

“It will be granted, I presume, that government can take cognizance only of overt acts, and that religion, as distinguished from the mere forms of it, must be matter of conviction, which being entirely a state of mind, is a matter of which governments cannot take cognizance. Any Establishment of religion, therefore, which governments can frame, can only be the adoption of its forms, and thus must become a prostitution of these, to what I think can be viewed aright only as a mode of police, and a mode of a most objectionable kind. That such an adoption has been followed by some good, I readily admit ; but, in so far as this has not been, through that gracious arrangement, by which some of the greatest evils have been made productive of good, I conceive it must have been, from the excellence of many of the men, who have been engaged in the service,—men whose labours, if legitimately employed, I cannot doubt, would have effected

incalculably greater good, and whom it is painful to be required to consider, in their official capacity, as merely officers of police.

“That the evils of the adoption have counterbalanced, and must have counterbalanced, inconceivably, all the good, is a point upon which I have long been satisfied, and which seems to me to become almost daily more apparent. It becomes so, I think, even taking into view only the affairs of ‘the life that now is;’ but if our views be extended, by means of revelation, to ‘the life that is to come,’ awful indeed do the consequences appear to me to become, from the natural tendency of the improper adoption of forms, to lead to satisfaction with mere form.

“With such views, I cannot but withhold my support of the system, whatever may be the consequences of my doing so. Among these consequences, I contemplate, with unfeigned sorrow, a renewal or increase, destructive of their usefulness, of that odium under which, from the directions they will probably give or concur in, some of our most amiable fellow-citizens will be placed. Such consequences, I can only hope, will lead them to consider the legitimacy of their situation, and so to see a right way for the attainment of the high objects, I believe they have in view.

“I may notice here, without impropriety, that if the legislature were by an enactment to require my *worshipping*, or professing to *worship* in any way, or to prohibit my *worshipping* in such way as I judge proper, I could not dare to obey.—I am, &c.

“*Edinburgh, Dec. 5, 1837.*”

The following weighty observations, by Mr MARSHALL, deserve to be most seriously pondered by those who impose—by those who exact—and by those who are required to pay church taxes. The measure of guilt which these most unhappy imposts have been the occasion of, in all these quarters, will never be known till the day of judgment. Happy is he who has nothing to do with them.

“An important remark in the present discussion is, that scruples of conscience, whether well or ill-founded, are to be held sacred. If the person who labours under such scruples is induced to act in opposition to them, the greatest guilt is incurred not only by himself, but also by those who, whether designedly or heedlessly, throw the stumbling-block in his way. As for himself he sins—does what in his heart he believes to be wrong—in other words, he destroys himself—destroys himself in a spiritual sense; for every sin, great or little, infers that dreadful consequence—a consequence which is averted

only by repentance ; and those who urge or entice him to the deed, by whatever means they do it, whether by threats or by persuasions, or only by their example, are chargeable with his ruin.

“ This is argued at length by the apostle Paul in more than one of his epistles. A question was agitated among the primitive believers, whether it was lawful to eat of meats that had been offered to an idol, or to sit down to a feast in an idol’s temple. The more enlightened, who knew that ‘ an idol was nothing in the world,’ deemed the action indifferent—the less enlightened, who ‘ had conscience of the idol,’ looked upon it as sinful ; and it happened that the one class, by thoughtlessly using their liberty, threw a snare in the way of the other class. The ‘ stronger brethren,’ as the apostle calls the more enlightened, by partaking freely of meats offered to idols, when occasion required, sometimes emboldened the less enlightened, whom he calls the ‘ weaker brethren,’ to imitate their example ; and the consequence was, the consciences of the latter were defiled. They acted in opposition to their own convictions—they did what they suspected to be sin—at least, what they did not certainly know to be duty, and of course plunged themselves into guilt.

“ The apostle says little, comparatively, to the ‘ weak,’ but the conduct of the ‘ strong’ he censures in the severest terms. He charges them with nothing less than ‘ destroying’ their christian brethren ; by which he means causing their perdition. The following are a few of the expressions he employs : ‘ Through thy knowledge shall thy weak brother *perish*, for whom Christ died.’ ‘ When ye sin so against the brethren, and wound their weak conscience, *ye sin against Christ.*’ 1 Cor. viii. 11, 12. ‘ *Destroy* not him with thy meat, for whom Christ died.’ ‘ For meat,’ that is, for the sake of meat, ‘ *destroy* not the work of God.’ ‘ He that doubteth is *dammèd* if he eat, because he eateth not of faith ; for whatsoever is not of faith is sin.’ Rom. xv. 15, 20, 23.

“ This is a subject of no ordinary importance. It demands the most serious attention of every one who has any thing to do with ecclesiastical imposts, whether in the way of paying, or in the way of exacting them. It is not men’s feelings alone that are concerned—that were comparatively a trifling matter : nor is it their property alone—that were more trifling still : but it is their spiritual and eternal interests. The question is a question of sin or duty—of life or death, in the highest sense of the terms.

“ If an ecclesiastical tax is demanded of a conscientious scrupler, and if he is induced to comply with the demand, whatever be the motive,

whether fear or shame, or the example of others, or the desire of being freed from importunity—if he is induced to comply from any motive, while he is not satisfied in his conscience that it is right, he *sins*—he is condemned in his own mind—he is condemned before God. Those who urge, or entice, or compel him,—those who in any way are accessory to his compliance, are placed in the same predicament—they are condemned before God too—and without repentance, which is in no man's own power—which depends solely on the grace of heaven, the consequences must be more awful than any words can express.”—*Marshall's Reply to Dr Inglis*, pp. 275–278.

NOTE XXXVII.

LIST OF BOOKS, IN WHICH THE LAWFULNESS OF CIVIL ESTABLISHMENTS OF RELIGION IS DISCUSSED.

It formed no part of the design of this work, to furnish a complete view of the evidence, that a civil Establishment of religion is in direct opposition to the divine will—as being impolitic, unjust, impious, and unscriptural. It is, however, of great importance that, on this question, at all times, and especially at present, a practical one, all christian men should endeavour to make up their minds. Abundant materials, for such a purpose, will be found in the following works:—MILTON'S Tracts on Ecclesiastical Subjects—LOCKE'S Letters on Toleration—The Case of Dissent and Separation from a Civil Establishment of the Christian Religion fairly stated, by Rev. THOMAS MOLE—TOWGOOD'S Dissent from the Church of England fully justified—A Review of Ecclesiastical Establishments in Europe, by Rev. WILLIAM GRAHAM—HUTCHISON'S Dissertation on the Nature and Genius of the Kingdom of Christ—An Address to Believers of the Gospel of Christ, and Thoughts on Religious Establishments, by JOHN WALKER—On Non-Conformity, by JOSIAH CONDER, Esq.—A Comparison of Established and Dissenting Churches, by Rev. JOHN BALLANTYNE—Essays on the Principles of Morality, and of the Private and Political Rights and Obligations of Mankind, by JONATHAN DYMOND—Ecclesiastical Establishments considered—A Letter to the Rev. Andrew Thomson, D.D.—Ecclesiastical Establishments farther considered—A Reply to Dr Inglis' Vindication of Ecclesiastical Establishments, by Rev. ANDREW MARSHALL—Thoughts on Establishments, particularly the Established Church of Scotland, by a LAYMAN—The Scripture Ar-

gument against Civil Establishments, and other Publications, by RALPH WARDLAW, D.D.—Considerations on Civil Establishments of Religion, by H. HEUGH, D.D.—A Dissertation on Church Polity, by ANDREW C. DICK, Esq.—Protestant Dissent Vindicated, in Two Letters, to the Rev. Dr Lee, by J. P. SMITH, D.D.—JAMES' Principles of Dissent and the Duties of Dissenters, and Dissent and the Church of England—BINNEY'S Ultimate Object of the Evangelical Dissenters—Ecclesiastical Establishments opposed alike to Political Equity and Christian Law—Reply to the Rev. J. Esdail, and a Vindication of Scripture and Common Sense, by Rev. DAVID YOUNG—Political Christianity, by Rev. JAMES W. MASSIE—Principles of Dissent, by Rev. THOMAS SCALES—Claims of Dissenters, and other Publications, by ADAM THOMSON, D.D.—The Union of Church and State anti-scriptural and indefensible, by Rev. W. THORN, Winchester—The Tracts published by the Society for promoting Ecclesiastical Knowledge, and by the Voluntary Church Associations of Edinburgh and Glasgow, especially The Whole Question stated and answered, by Rev. W. LOWRIE—The Lectures on the Voluntary Church Question, delivered in Edinburgh and Glasgow—The Ecclesiastical Journal, and the Voluntary Church Magazine.

To those who wish to see the argument on the other side put in its best form, we would recommend HOOKER'S Ecclesiastical Polity—The Alliance between Church and State, or the Necessity and Equity of an Established Religion and Test Law Demonstrated, by Bishop WARBURTON—A Vindication of the Civil Establishment of Religion, by J. ROGERS, D.D.—An Essay on Establishments in Religion, by Dr ROTHERAM—RANKEN'S Essay on the Importance of Religious Establishments—Dr M'CRIE'S Statement on the Difference of the Profession of the Reformed Church of Scotland, and that of the General Associate Synod—PALEY'S Moral and Political Philosophy—A Vindication of Ecclesiastical Establishments, by JOHN INGLIS, D.D.—Correlative Claims and Duties of the Church and State, by Rev. S. C. WILKS—CHALMERS' Lectures on the Establishment and Extension of National Churches.

If any wish to see what extravagances and absurdities, controvertists will resort to in defence of an untenable cause, they may have their curiosity amply satiated by the perusal of Bishop PARKER'S Ecclesiastical Policy, and the tracts of various sizes and literary merit, but, with few exceptions, of a common character, so far as virulence, personality, and abuse are concerned, which have been published, on the side of Establishments, in the pending controversy.

Of these productions, to adopt language originally employed in reference to the apologies for another species of abuse, "I am free to confess, that if I had never heard an argument against Establishments, I should find in the writings of these defenders satisfactory evidence that their cause is bad. So true is this, that if at any time I needed peculiarly to impress myself with the iniquity of the system, I should take up the book of one of these determined advocates. There I find the most unequivocal testimony against it—that which is unwittingly furnished by its advocates. There I find that the temper and dispositions which are wont to influence the advocate of a good cause are scarcely to be found; and those which usually characterise a bad one continually appear; and therefore, even setting aside inaccurate statements and fallacious reasonings, I am assured, from the general character of the defence, and conduct of the defenders, that the system is radically vicious and bad."

Some of these writers seem to have availed themselves of the license granted by Atticus, as unscrupulously as if it were sanctioned by Christian morality: "*Concessum est Rhetoribus, e mentiri in historiis, ut aliquid dicere possint argutius.*"—*Cic de clar. orat. c. xi.* It might be well for such persons to ponder the question and the statement of Job. "Will ye speak wickedly for God, and talk deceitfully for him? . . . He will surely reprove you;" Job. xiii. 7, 10.

NOTE XXXVIII.

ANDREW FULLER'S OPINION OF THE INFLUENCE OF A CIVIL ESTABLISHMENT OF CHRISTIANITY.

"The Christianity here defended is not Christianity, as it is corrupted by popish superstition, or as interwoven with national establishments, for the accomplishment of secular purposes; but as it is taught in the New Testament, and practised by sincere Christians. There is no doubt, but that in many instances, Christianity has been adopted by worldly men, even by infidels themselves, for the purpose of promoting their political designs. Finding the bulk of the people inclined to the Christian religion, under some particular form, and attached to certain leading persons among them, who sustained the character of teachers, they have considered it as a piece of good policy

to give this religion an establishment, and these teachers a share in the government. It is thus that religion, to its great dishonour, has been converted into an engine of state. The politician may be pleased with his success, and the teacher with his honours, and even the people be so far misled as to love to have it so ; but the mischief resulting from it to religion is incalculable. Even where such establishments have arisen from piety, they have not failed to corrupt the minds of Christians from the simplicity that is in Christ. It was by these means that the church at an early period from being the bride of Christ, gradually degenerated to a harlot, and in the end became the mother of harlots, and abominations of the earth. The good that is done in such communities, is not *in consequence* of their peculiar ecclesiastical constitution, but *in spite of it* ; it arises from the virtue of individuals, which operates, notwithstanding the disadvantages of their situation. These are the things that afford a handle to unbelievers. They seldom choose to attack Christianity, as it is drawn in the sacred writings, and exemplified in the lives of real Christians, who stand at a distance from worldly parade, political struggles, or state intrigues ; but as it is corrupted and abused by worldly men."—*Fuller's Gospel its own Witness—Introduction—Works*, vol. iii. pp. 14–16. 8vo. Lond. 1824.

NOTE XXXIX.

CHURCH PROPERTY.

SIR JAMES MACKINTOSH.

"The author of the opinion, that church lands are national property, was Turgot, a name now too high to be exalted by eulogy, or depressed by invective.* That benevolent and philosophic statesmen delivered it in the article *Fondation* of the *Encyclopedie*, as the calm and disinterested opinion of a scholar, at a moment when he could have no view to palliate rapacity or prompt irreligion. It was no doctrine contrived for the occasion by the agents of tyranny ; it

* Of this most enlightened minister to Louis XVI., Dr Parr, when questioning the soundness of some of his principles, speaks, as "a late celebrated foreigner, who had deeply explored the true science of politics, and was sincerely attached to the best interests of humanity."—*Spital Sermon*, p. 14. 4to. Lond. 1801.

was a principle discovered in pure and harmless speculation by one of the best and wisest of men. But dismissing the genealogy of doctrines, let us examine their intrinsic value, and listen to no voice but that of truth.—‘Are the lands occupied by the church the property of its members?’ Various considerations present themselves, which may elucidate the subject.

“1. It has not hitherto been supposed that any class of public servants are proprietors. They are *salaried* by the state for the performance of certain duties. Judges are *paid* for the distribution of justice; kings for the execution of the laws; soldiers where there is a mercenary army for public defence, and priests where there is an established religion for public instruction. The mode of their payment is indifferent to the question. It is generally in rude ages by land, and in cultivated periods by money. But a territorial pension is no more property than a pecuniary one. The right of the state to regulate the salaries of those servants, whom it pays in money, has not been disputed. But if it have chosen to provide the revenue of a certain portion of land for the salary of another class of servants, wherefore is its right more disputable, to resume that land, and to establish a new mode of payment?

“2. The lands of the church possess not the most simple and indispensable requisites of property. They are not even pretended to be held for the benefit of those who enjoy them. This is the obvious criterion between private property and a pension for public service. The destination of the first is avowedly the comfort and happiness of the individual who enjoys it; as he is conceived to be the sole judge of this happiness, he possesses the most unlimited rights of enjoyment, alienation, and even abuse. But the lands of the church destined for the support of public servants, exhibit none of the characters of property. They are inalienable; for it would not be less absurd for the priesthood to exercise such authority over these lands, than it would be for seamen to claim the property of a fleet they manned, or soldiers that of a fortress they garrisoned.

“3. It is confessed that no individual priest is a proprietor, and it is not denied that his utmost claim was limited to a possession for life of his stipend. If all the priests taken individually are not proprietors, the priesthood, as a body, cannot claim any such right,—for what is a body but an aggregate of individuals, and what new right can be conveyed by a mere change of name? Nothing can so forcibly illustrate this argument as the case of other corporations. They are voluntary associations of men for their own benefit. Every member of

them is an absolute sharer in their property. It is therefore alienated and inherited. Corporate property is here as sacred as individual, because in the ultimate analysis it is the same. But the priesthood is a corporation endowed by the country, and destined for the benefit of other men. It is hence that the members have no separate, nor the body any collective, right of property. They are only entrusted with the administration of the lands from which their salaries are paid.

“ 4. It is from this last circumstance that their legal semblance of property arises. In charters, bonds, and all other proceedings of law, they are treated with the same formalities as real property. The argument of *prescription* will appear to be altogether untenable, for prescription implies a certain period, during which the rights of property have been exercised, but in the case before us they never were exercised, because they never could be supposed to exist. It must be proved that these possessions were of the nature of property, before it can follow that they are protected by prescription, and to plead it, is to take for granted the question in dispute. If they never were property, no length of time can change their nature.

“ 5. The clamour of sacrilege, by which, at the Reformation, the church attempted to protect its pretended property seems to have fallen into early contempt. The treaty of Westphalia secularized many of the most opulent benefices of Germany. In our own island, on the abolition of Episcopacy in Scotland, the revenues of the church peaceably devolved on the sovereign. When, at a still later period, the Jesuits were suppressed in most Catholic monarchies, the wealth of that formidable and opulent body was every where seized by the sovereign. In all these memorable examples no traces are to be discovered of the pretended property of the church. The salaries of a class of public servants are in all these cases resumed by the state when it ceases to deem their service, or the mode of it, useful.

“ 6. The whole subject is indeed so evident, that little diversity of opinion could have arisen,—if the question of church property had not been confounded with the claims of the present incumbents. The distinction is extremely simple. The state is the proprietor of the church revenues, but its faith, it may be said, is pledged to those who have entered into the church for the continuance of those incomes for which they abandoned all other pursuits. The right of the state to arrange at its pleasure the revenues of any future priests, may be confessed, while a doubt may be entertained whether it is competent to change the fortune of those to whom it has solemnly

promised a certain income for life."—*Mackintosh's Vindiciæ Gallicæ*, pp. 85–96,

The above is the clearest and most satisfactory exposition of the true nature, of what is often termed church property, that we have any where met with. These remarks appear in the "*Vindiciæ Gallicæ*," a work which an enemy to its principles (Mr Plumer Ward) says, "will ever be read as a first-rate production of genius," and are brought forward with a direct reference to the church lands of the Roman Catholic Church of France—but they are of universal application. The following observations, which follow the expression of a generous regret of the individual sufferings which the change arising out of the state taking the management of these lands into their own hands, are pregnant with most important and interesting truth :

"But these sentiments imply no sorrow at the downfall of a great corporation, the determined and implacable enemy of freedom ; at the conversion of an immense public property to national use ; nor at the reduction of a servile and imperious priesthood to humble utility, as the moral and religious instructors of mankind. The attainment of these great objects consoles us for the portion of evil that was perhaps inseparable from them, and will be justly admired by a posterity too remote to be moved by these minute afflictions, or to be affected by any thing but their general splendour. The enlightened observer of an age thus distant, will contemplate with peculiar astonishment, the rise, progress, decay, and downfall* of spiritual power in Christian Europe. It will attract his attention as an appearance that stands alone in history. Its connexion in all stages of its progress with the civil power, will peculiarly occupy his mind. He will remark the unassuming humility by which it gradually gained the favour and divided the power of the magistrate ; the haughty and despotic tone in which it afterwards gave law to sovereigns and subjects ; the zeal with which, in the first desperate moments of decline, it armed the people against the magistrate, and aimed at re-establishing spiritual despotism on the ruins of civil order ; and the asylum which it at last found against the hostilities of reason in the prerogatives of temporal despotism, of which it had so long been the implacable foe."—*Vind. Gall.* pp. 98–100.

* Did we not dread the ridicule of political prediction, it would not seem difficult to assign its period. Church power (unless some revolution auspicious to priestcraft, should replunge Europe in ignorance), will certainly not survive the nineteenth century.

ANONYMOUS.

“The class denominated High-Churchmen, both in England and Scotland, affirm most positively that the support of the Ecclesiastical Establishments costs nothing to the country. The Established churches, they say, are incorporations possessed of property and revenues, sacred and inalienable, to which they have absolute right, and of which they cannot be deprived without flagrant injustice, and the unsettling of all rights to property of every description, whether public or private.

“Among Voluntary churchmen a different opinion prevails. They generally hold that the burden of supporting the national churches rests upon no particular class or classes of the community, but upon the nation at large. It is, according to them,” so far at least as it is derived from tithe, as well as immediately from the exchequer, “a general tax, of which a part falls upon the food and raiment, upon every necessary and comfort of life, used by the humblest member of society. The truth of this theory, it is said, may be strictly demonstrated on the principles of political economy, which may indeed be the case; but whether it be so or not, the subject is a great deal too recondite for present discussion. It is safest to deal with those matters that can be comprehended by persons of ordinary understanding.

“In Scotland, the country in which we are principally interested, the support of the Established clergy, exclusive of manse and glebes, is derived from the three following sources: teinds or tithes, annuity or house-tax, and allowance or bounty bestowed by government. When tithes were first introduced, the persons who paid them would have no doubt, in so far as tithes were concerned, that the clergy were supported at their expense. A man who one year enjoyed the whole produce of his land, and of the labour bestowed on it, and who next year found himself compelled to part with a tenth part of that produce, would understand quite clearly, that a certain portion of his property had been taken from him; he would think so every year after while he lived; and supposing him to have been succeeded in his estate by a son, that son would be equally sure that what the law had taken from his father, continued to be taken from him, and equally sure may be his descendant to the tenth or twentieth generation. The lapse of time makes no alteration in the nature of the case.

“But though this were granted in regard to heirs, it is argued in the case of land acquired by purchase, that the purchaser can have

no claim to tithes, seeing he must have taken the amount of them into account in making the purchase, and have ascertained the value of the land of course, according to its probable produce remaining after tithes were deducted. It is argued farther, that as almost all the land in the country has been repeatedly transferred by purchase, since the payment of tithes was ordained by the civil law, it follows that tithes, if not the absolute property of the church, are not private but national property, and may justly, if taken from the church, be applied to any national purpose.

“ In point of fact, tithes are neither more nor less than a tax upon land, in this respect of the same nature with the property-tax levied for so many years during the late war, and equally, with it, under the control of the legislature. Should therefore the government see meet, at any future period, to remit the tax of tithes, it seems clear, that as in the case of other taxes remitted, the persons who pay the tax, or from whose property it is levied, are justly entitled to the direct benefit of the repeal. The argument against this, in regard to the proprietors of land acquired by purchase, does not appear to be well founded; for as an heir succeeds to all the unreserved rights of his ancestor, in the same manner does a purchaser to all the unreserved rights of the person from whom the purchase is made. Now, it was the right of this person, as it is of every British subject, to claim exemption from every kind of tax not required by the exigencies of the state; and as it respects taxes on property, this right or claim, as necessarily connected with the property, must be transferred along with it, and become vested in the person of each successive proprietor. The same thing holds true with regard to the annuity or house-tax paid by the occupiers of houses in Edinburgh. There can be no doubt that the payers of this tax support the clergy, and there is little doubt that, were the city to get free of the tax, those who pay it would think it the highest injustice if, instead of being allowed to retain its amount, it continued to be claimed as public money. The third source of clerical support is supplied from the public revenue, and were the bounty withdrawn, those, as in the other two cases, by whom it is furnished, would be entitled to the repeal of taxes to the amount.”—These remarks are extracted from one of the most ingenious tracts which the Voluntary Church Controversy has produced, entitled “*Calm Answers to certain angry Questions*,” pp. 38–42. Edin. 1833.

JONATHAN DYMOND.

“ It is argued that the legislature has no right to take away tithes

any more than it has a right to deprive citizens of their lands and houses; and that a man's property in tithes is upon a footing with his property in an estate. Now, we answer, that this is not true in fact; and that if it were, it would not serve the argument.

"It is not true in fact. If tithes were a property, just *as* an estate is a property, why do men complain of the scandal of pluralities? Who ever hears of the scandal of possessing three or four estates? why again does the law punish simonaical contracts? who ever hears of simonaical contracts for lands and houses? The truth is, that tithes are regarded as religious property. The property is legally recognized not for the sake of the individual who may possess it, but for the sake of religion. The law cares nothing for the men, except so far as they are ministers. Besides, tithes are a portion of the *produce* only, of the land. The tithe-owner cannot walk over an estate, and say of every tenth acre, it is mine. In truth, he has not, except by the consent of the landholder, any property in it at all; for the landholder may, if he please, refuse to cultivate it—occasion it to produce nothing; and then the tithe-owner has no interest or property in it whatever. And in what sense can that be said to be property, the possession of which is at the absolute discretion of another man."

"But grant for a moment that tithes are property. Is it affirmed, that whatever property a man possesses cannot be taken from him by the legislature? Suppose I go to Jamaica and purchase a slave" (Happily this supposition made in 1829, cannot now be made in 1838), "has the law no right to take this property away? Assuredly it has the right, and exercises it too. Now, so far as the argument is concerned, the cases of the slaveholder, and of the tithe-owner are parallel. Compulsory maintenance of Christian ministers, and compulsory retention of men in bondage, are both inconsistent with Christianity; and, as such, the property which consists in slaves and in tithes may be rightly taken away; unless, indeed, any man will affirm that any property, however acquired, cannot lawfully be taken from the possessor. But when we speak of taking away the property in tithes, we do not refer to the consideration that it has been under the sanction of the law itself that that property has been purchased and obtained. The law has in reality been accessory to the offence, and it would not be decent or right to take away the possession which has resulted from that offence, without offering an equivalent. I would not advise a legislature to say to persons who, under its own sanction, have purchased slaves, to turn upon them and

say, I am persuaded that slavery is immoral, and therefore I command you to set your slaves at liberty ;—and because you have no moral right to hold them, I shall not grant you a compensation. Nor, for the same reason, would I advise a legislature to say so to the possessor of tithes.

“ But what sort of compensation is to be offered ? Not surely an amount equivalent to the principal money, computing tithes as interest. The compensation is for life-interest only. The legislature would have to buy off not a freehold but an annuity. The tithe-owner is not like the slave-holder, who can bequeath his property to another. When the present incumbent dies, the tithes, as property, cease to exist, until it is again appropriated to an incumbent by the patron of the living. This is true, except in the cases of those deplorable practices, the purchase of advowsons, or of any other tithes by which individuals or bodies acquire a pecuniary interest in the right of disposal.

“ The notion that tithes are a ‘ property of the church,’ is quite a fiction. In this sense what is the church ? If no individual man has his property taken away by an abolition of tithes, it is unmeaning to talk of the church having lost it.

“ It is perhaps a vain thing to talk of *how* the legislature might do a thing which perhaps it may not resolve for ages to do at all.”—(How much less likely is it in 1838 than it was in 1829,—that ages, or even an age, will elapse before the legislature deal with church property as public property ?)—“ But if it were to take away the right to tithes as the present incumbents died, or as the interests of the present owners ceased, there would be no reason to complain of injustice, whatever there might be of procrastinating the fulfilment of a Christian duty.”—*Dymond's Essays*, vol. ii. Ess. iii. Ch. xvi.

LORD BROUGHAM.

“ Lord BROUGHAM argued, ‘ that both on the principles on which they were formed, and on the rules by which they were accustomed to be dealt with, there was a broad and direct distinction between private property and church property. Private property was that sort of property to which an individual of his own right, and of that right only, had a title. It was a property which could be sold or given away, or transferred or encumbered,—property which the possessor could bequeath as he listed, or which, in default of bequest, descended to his heirs. But how did the property of the parson at all correspond with this description ? He could neither sell it nor

transfer it, nor leave it to whom he pleased; but it passed from him to a successor of whom he knew nothing, and who perhaps had been his most mortal enemy. If private property were taken from an individual, the state robbed not only him, but his children or next heirs; but if the law said to a clerical incumbent, 'The profits of this living shall cease after your death,' who, in whom that clergyman had any interest, was in the smallest degree damnified? Besides, was it not clear that private property was that income for the receipt of which the holder had no duty to perform? The clergy were officers of the state, and, like other officers of the state, might be got rid of in proportion as they were no farther required. If the church property, as it was called, was private property, why was not the pay of the army and navy personal in an equal degree? And the practice showed how the fact stood. If the tithe was really private property, it could not be meddled with at all."—*Mirror of Parliament. Session for 1825, pp. 367, 368.*

THE REV. D. S. BOGIE, B. A.—LORD MELBOURNE.

The remarks that follow are from the pen of a beneficed clergyman of the English Church—the author of a singular little book, entitled, "*The Crisis; or the approaching Grand Religious Revolution, and the Fall of the National Churches.*"

"That the Protestant Establishment possesses no property in her own right, but holds it from and under the government, seems to require no proof; yet some of our high churchmen, now that they find themselves called to account by the nation, would fain assume an independent position, and pretend that the property of their *holy church* is indefeasable and inviolable, and cannot be appropriated by the state. Assuming the high ground of the inalienable rights of the Church, they render themselves ridiculous, and become a laughing-stock to all Protestants. For what is the origin and constitution of the reformed Church? It is founded on an act of Parliament; and it holds its property, as the church of the state, directly from the state. By an act of Parliament the authority of the Pope was annulled, and the Catholic Church was overthrown; by the same power the king was made the supreme head of the Church, and exercised all the functions of the Pope, in the appointment of bishops, and in authorizing all the doctrines and canons of the Church. By acts of Parliament, that great reformer Henry VIII. who is in bad odour with the Protestant clergy now, as then with the Roman Catholic,—abolished some bishoprics, and sequestered their revenues, established

others, alienated much of the church property, and spoliated many sinecure livings. By the mandate of the king, the bishops are elected : directly from him they hold the bishoprics as baronies ; and from these spiritual barons every incumbent holds on performance of certain service. There are examples enough of the tenure of church property from the state, and of the spoliation and alienation of that property. If it could not be alienated from its original purposes, why should it not revert to-morrow to the Roman Catholics? But every day shows that it is the property of the state, which can either take it away or appropriate it to some other use. Much of this property was bequeathed by our Roman Catholic ancestors, for the maintenance of the monks of the Established religion, and for the saying of masses for the souls of the donors in purgatory. How do the Protestant clergy, who talk of the inviolability of church property, vindicate their right to it? If, on the ground that it was set apart for sacred purposes,—their right is null and void ; for the intention of the donor defines what were the sacred purposes, which purposes, so far from fulfilling, they rather desecrate in the eye of the Catholic, by their heretical and damnable doctrines. The right of the Protestant clergy to the tithes on land, is founded on an act of Parliament. This is plain, from ‘ the Act of Uniformity,’ which restricts the enjoyment of that property to those who entirely conform to the state religion, as exhibited in the book of Common Prayer ; and therefore due respect being paid to vested interests, it is in the power of Parliament to alienate or apply that property to other purposes, or other forms of religion, to-morrow.

“ This has been fully stated by the present premier (Lord MELBOURNE) in the debate on the Ecclesiastical Commission. He said, that ‘ the tithes and landed property in the hands of clergymen, did not belong to them, but was a portion of the national property, which had been set aside either by the institutions of the country, or by the superstition of former ages, for the maintenance of the established religion of this country ; and being a portion of that national property, it was in the power of the state, from time to time, to increase it should it be too small, or to diminish it if too large, and apply the surplus to whatever purposes might be considered the fittest to promote the great end and object in view. These were the only safe principles upon which the legislature or government could proceed.’ And, accordingly, upon these principles, not of spoliation, but of appropriation, the government and legislature have proceeded first in diminishing *ten* of the Irish bishoprics, and applying the property to

other uses; and now, on the recommendation of the bishops themselves, are about to apply the surplus of the cathedral property to other purposes.”—*The False Alarm, or the Church in Danger*, p. 37. Lond. 1837.

NOTE XL.

RESISTANCE TO THE ANNUITY TAX BY OUR COVENANTING ANCESTORS.

“ After the restoration of Charles II., Episcopacy became ‘ the Church by law established,’ and from that period to the Revolution of 1688, the resistance to the payment of the tax on the part of the members of the *present Established Church*, who were then *Dissenters*, was greater than at any period, either before or since that time, not even excepting the last ten years. Like the Dissenters of the present day, they supported their own ministers at their own expense, on the *Voluntary principle*, and they naturally objected to being compelled to pay for the support of the ministers of a church to which they did not belong, and which they believed to be an Antichristian Establishment. They did not, like the Dissenters of the present day, object to *all* civil Establishments of religion, but in common with them, they considered it ‘ persecution for conscience’ sake,’ to be compelled to support any sect but their own. The pointing and rousing of their goods, for payment of stipend, was carried on to a great extent; but this did not produce the desired effect. They suffered ‘ the spoiling of their goods’ without being intimidated into compliance with demands which they believed to be essentially unjust. In this state of matters, the Town Council, adopting the *fashionable* expedient of the day, ordered soldiers to be quartered on all those who refused to pay the tax. This most iniquitous resolution was instantly carried into effect, but the ‘ still small voice’ of conscience was not to be subdued. Proceeding from one degree of wickedness to another, the Town Council ordered the soldiers to be *paid* by the parties on whom they were quartered, and their goods to be roused to provide the necessary funds; but notwithstanding all their ingenuity, and all their iniquitous contrivances for enforcing payment of this hated tax, there was one discovery which they did not make, but which the superior light and civilization of the nineteenth century has enabled ‘ the friends of the Church’ to make,—that the imprisonment of the per-

sons of those who resist the tax, is the most effectual method of enforcing payment.

“To the members of that Church, which is *at present* ‘by law Established,’ the inhabitants of this city are deeply indebted *for the first determined and continued resistance to the payment of the annuity tax*, and for the vindication of the rights of conscience under the severest trials, and amidst the greatest dangers. By their resistance they had reason to believe they would incur the displeasure of the most arbitrary government which had ever existed in Scotland—of such men as Middleton, Lauderdale, Sharp, Rothes, Dalzell, Perth, and the Duke of York—under whose direction every species of cruelty and oppression was perpetrated. In other cases of resistance for conscience’ sake, they were in the practice of employing torture as freely as ever the agents of the Inquisition did; and not satisfied with the instruments employed by them, by a refinement in cruelty, they invented new instruments of torture, of a more dreadful kind. These they frequently ordered to be applied in their presence, before the Privy Council, in torturing those who were prisoners ‘for conscience’ sake.’ They fined, and imprisoned, and banished, without law, and without mercy. They caused hundreds to be put to death by military execution, without even the forms of justice; and others, after a mock trial, were ordered to be executed with every refinement in cruelty which the most fiendish ingenuity could suggest. They spared neither age nor sex. The barbarities which they committed cannot be read without exciting the most intense feeling of horror. Yet all these enormities were perpetrated in the name of religion, for the professed object of supporting the Established Church, and, consequently, for promoting the glory of God, and spreading the knowledge of the Gospel of Jesus Christ! To such lengths did these supporters of Church Establishments carry their love of compulsory principles.

“Notwithstanding the dangers to which they were subjected from the character and conduct of their rulers, the Presbyterian *Dissenters* resisted the tax in the most determined manner. Each of these *practical Voluntaries* by their resistance in effect declared, with respect to the Episcopalian ministers, ‘I think my religion better than theirs; and, therefore, I never will pay them one shilling—no, not one farthing. They may seize my cattle, my corn, my furniture—they may distrain my tenants—they may sell, carry away, or destroy—I will never pay one penny; it is an unjust demand—I will not pay. I will not resist the law, because, like so many other monstrous iniqui-

ties, there is law for this also ; but I repeat, I never will pay them one shilling—to them, or to their use, not one farthing. Come what may, I never will pay them one single farthing.* These conscientious and consistent apostles of the doctrine of passive resistance, were not to be deterred from performing what they believed to be their duty by the fear of personal danger, much less by the clamour that the ministers of the Established Church were not adequately supported, and that they had an indisputable right by the existing law of the land to the proceeds of the annuity tax. Believing that a tax for the support of a church to which they did not belong was unjust in principle, they acted in the way which their own consciences approved, resisting all attempts to compel them to do what *they* considered *evil*, in order that what *others* considered *good* might come, and disregarding the consequences which might follow from their resistance.

“ The ministers were reduced to the greatest distress. Their stipends were small in amount, and very irregularly paid. On the 28th November, 1661, the Town-Council resolved to apply to the inhabitants to know what they would *lend* for ministers’ stipend. Shortly afterwards, they resolved to consult the city assessors, to know what security they could give the inhabitants for any advances they might be inclined to make for this purpose. On the 6th February, 1663, they resolved that the stipends of six of the ministers should be £138, and that the stipends of the other six, who were to be allowed for house-rents, should be £83. Nearly one-half of the records of the Town-Council, about this period, are filled with matters concerning the ministers and their stipends, and churches and sessions. Judging from the Records, the support of the church appears to have been a source of constant annoyance, and an intolerable burden on the inhabitants of Edinburgh, for the last two centuries.† The *fruits* which

* Letter to the People by Daniel O’Connell, Esq. June 1836.

† There is a volume of the *Index* to the Records of the Town Council, with the words “ Ministers” on the back of it, and there is not a single reference in the volume to any thing but proceedings regarding ministers ! The volume contains 326 foolscap pages, and embraces the period from 1560 to 1813. This will give an idea of the number of volumes of the *Record*, which must be taken up with the affairs of the ministers, when it requires a *volume* to contain the *references* to them. The words “ Churches,” “ Annuity,” “ Pounding,” &c. occupy a large proportion of several other volumes of the *Index*. The *Record* consists of 220 volumes, of various sizes, containing from about 300 to 1000 pages each.

have been produced by these expensive and troublesome Establishments will be afterwards adverted to; in the meantime, it may be proper to explain the mode in which the *business* of poinding and roupings, for the support of the church, was transacted.

“ It appears that the collector was in the habit of going to the houses of those in arrear, and carrying off to ‘ the Annuity Office,’ such articles as would sell by public auction, for a sum equal to the amount of the assessment. These articles were called ‘ poynds for Anuitie,’ and were entered in a book, with the names of the parties from whom they were taken, in the same manner as is done by pawn-brokers at the present day. They were redeemable at pleasure on payment of the arrears, until they had accumulated to an inconvenient extent, when the collector applied to the council for an order to sell ‘ the poynds for anuitie,’ which was granted as a matter of course, but generally with an intimation that public notice was to be given to ‘ the neighbours to redeem their poynds within a fortnight,’ otherwise they would be sold to the highest bidder for payment of the ministers’ stipends. The ‘ Anuitie Office’ appears to have been a sort of general pawn-broking establishment and ‘ auction mart,’ for the support of whatever church was established by law for the time being, and consequently was one of the means employed for the promotion of the gospel! How unlike the means employed by the Founder of Christianity and his apostles!”

“ The following extracts will show the nature and extent of the resistance made to the Annuity Tax by the Presbyterians of the present Established Church, in the palmy days of Episcopacy.

“ 19th Feb. 1662.—‘ Compeared William Brown, collector of the Annuitie, and gave the overtures underwritten.’ ‘ In respect, there are many poynds taken that are suffered to lie unrelieved, till the persons employed by those entrusted for collecting the Annuitie are gone [have left the town], and then the poynds are challenged and called for, and oftentimes *that sought* [claimed] *that was never taken from them*; in respect whereof, the Council would ordain and declare all such poynds so taken, if not relieved by payment of the Annuitie, and satisfaction given to the persons employed thereanent, within days after the poynding thereof, to be forefaulted, and the persons [to be] still liable for the Annuitie.’* The Council approved of the same, and enacted accordingly.

* Records of the Town Council, vol. xxi. p. 97. Although Episcopacy was substantially restored at the date of this act of Council, it was not until

“ 21st Jan. 1666.—‘ The Council appoints the hail poynds taken for Annuitie to be disposed of according as the Bailies shall think fitt, provyding the owners doe not redeem them betwixt and this day fortnight.’* ”

“ The following extract shows that within fifteen years after the passing of the act of 1661, the resistance was so great, that the Council adopted the extraordinary expedient of enforcing payment, by quartering soldiers on all those in arrear, until the tax was paid ! January 21st, 1676 :—‘ The Council considering that there is many poynds lying in the hands of the collector of the Annuitie, which are exceedingly troublesome to him,’ empowers him ‘ *to sell and dispose of the hail poynds in his custody preceding the date hereof, to the best advantage, for the use of the ministers’ stipends*, and that with all convenient diligence, as likewise considering that the taking of poynds makes the inhabitants slack in payment of their Annuitie, and is not such an effectual way for inbringing thereof, as was expected ; therefore ordains the said John Kinnear TO QUARTER SOLDIERS UPON THE DEFICIENTS [defaulters] OF THE SAID ANNUITIE ; and that they remove not from their houses, till they pay the said Annuitie.’† ”

“ 27th March, 1678.—There is a long act of Council of this date, setting forth, generally, that the means hitherto employed for the collection of the Annuity, had not been found effective, and requiring the inhabitants instantly to pay up the arrears due by them ; and, as usual, ordering the poynds to be sold. It appears from the concluding part of the minute, that the inhabitants who had soldiers quartered on them as a punishment for refusing to pay the tax, were obliged to *pay for the soldiers as well as for the ministers*, and that when their ‘ poynds ’ were roup'd, the expenses of the soldiers were to be deducted from the proceeds of the sale, and the surplus to be paid over to the parties from whom the goods were taken. The following part of this act deserves to be quoted, to show the means employed at this period for the propagation of the gospel : ‘ And what poynds are already in the custody of the said collector, or shall be poynded from the said deficientes, betwixt and the 1st of May next, the said day being come and bygane, in case the owners do not relieve the said poynds, the same shall then be apprised [sold] and the collector shall only be accountable for the surplus of the value more

December of the same year, that the Presbyterian Ministers of Edinburgh were formally expelled from their offices. Some of them were afterwards obliged to leave the kingdom.

* Records of the Town Council, vol. xxviii. p. 122.

† Ibid. p. 135.

nor is due to the soldiers who [were] quartered upon the persons poynded [for] the same."*

" 15th October, 1684.—' The Council appoints a proclamation to pass through this city, intimating to the hail inhabitants that are defective in payment of their Annuitie, from whom John Kinnear, collector, has poynded severall poynds, that they come to the said collector and relieve their poynds by payment of their bygaine Annuitie, betwixt and Martinmas next, certifying these that shall not relieve them, they shall be disposed upon by the collector, *and they shall pay their Annuitie notwithstanding thereof.*' †

" 26th February, 1686.—' The Council appoints a proclamation to pass by tuck of drum through the citie, intimating to the whole inhabitants from whom the collector of the Anuitie has taken poynds, upon the amount of their deficiency in payment of their bygaine Annuity, that they repair to the collector's office, within eight days after the said intimation, certifying such as shall fail in relieving of their poynds, within the said space, by payment of their bygaine Annuity, the collector is to dispose upon the said poynds by rousing the same." †—*McLaren's History of the Resistance to the Annuity Tax*, pp. 37-39.

NOTE XLI.

THE CORRELATIVE DUTIES OF GOVERNORS AND SUBJECTS, AND THE ETHICS OF TRIBUTE.

My readers will, I am persuaded, feel indebted to me for transferring from the ephemeral columns of a newspaper to, it may be, the not much more enduring pages of this work—the two articles bearing the above titles. The first is from the Birmingham *PHILANTHROPIST*; the second is from that Journal, which has been one of the ablest and most efficient promoters of the cause of civil and religious liberty in this country—The *SCOTSMAN*. Both are valuable; but, of the last, it is but justice to say, that so much important truth has very seldom been so clearly, and accurately, and forcibly stated, in so

* Records of the Town Council, vol. xxix. page 55.

† Records of Town Council, vol. xxxi. p. 85.

‡ Ibid. p. 289.

few and so well-chosen words. I believe it to be the production of my esteemed brother and friend, the Rev. W. L. ALEXANDER, pastor of the Congregational Church assembling in Argyle Square Chapel, in this city.

CORRELATIVE DUTIES OF GOVERNORS AND SUBJECTS.

“ The Scriptures have treated this matter with such clearness and accuracy, that no one who is disposed to learn, and has the means of reading and considering his Bible, needs to be informed of any thing more than the places where to look. First, Let us state, that the submission to governors is required by Scripture in the most absolute manner, in all things which are not forbidden by God. ‘ Render unto *Cæsar* the *things* which are *Cæsar’s*,’ is a maxim and command of the Saviour’s. Yet he followed it by another as solemn and important, on the other side of the question. ‘ Render unto *God* the *things* which are *God’s*.’ It may not always be clear which is *Cæsar’s* and which is *God’s*: but wherever it is clear, *Cæsar* has no more right to *God’s*, than the people have to *Cæsar’s*.

“ ‘ Let every soul be subject unto the higher powers,’ says the Apostle Paul : ‘ For there is no power but of God : the powers that be are ordained of God : whosoever, therefore, resisteth the power, resisteth the ordinance of God—and they that resist, shall receive to themselves (con)demnation.’ Here is most clearly laid down, the most absolute submission to the powers that be, *as far as their office goes*. But the same apostle who wrote this to his disciples, was all his life engaged in preaching doctrines which were forbidden by the powers that be : and he died at last as a criminal against the laws of the ‘ powers that be.’

“ When the apostles had received the authority from the Saviour to preach the gospel, they were frequently forbidden to do so by ‘ the powers that be ;’ and they persevered in opposition to these powers, unto death itself. The ‘ powers’ were evidently in the wrong—since the apostles did nothing to excite confusion and tumult in the state, and only occupied themselves in teaching what, to say the worst of it, was harmless truth : and therefore they were not called upon by the necessity of the case to punish. The apostles did not ‘ resist,’ but they did most unequivocally ‘ disobey’ these ‘ powers,’ and they have left their martyrdom behind them as a proof of their sincerity, and their governors’ cruelty.

“ When a government *does wrong to us*, we are required to submit rather than resist—but we may appeal and remonstrate, and try to

change the government, or have the perpetrators punished if there be any law to which we can appeal. When a government *requires wrong from us*, we have no occasion or right to consider the consequences. At all hazards, we must not *do wrong*."—*Philanthropist—Voluntary Church Magazine for Jan. 1838*, pp. 42, 43.

ETHICS OF TRIBUTE-PAYING.

"As considerable confusion of thought seems to pervade the minds of many respecting the *moral* aspect of tribute-paying, perhaps it may, at the present time, serve an important end to state a few leading principles on this subject. These may be comprised in the following propositions :—

"1st, Tribute is that proportion of property which each individual in a community pays for the support of that government under which he lives.

"2d, This proportion every member of the community is morally bound to pay, because, first, It lies in the very nature of the civil relation that every subject should *contribute* (i. e. *pay in tribute*) his share towards the support of that government of which he reaps the benefits; and, second, God has expressly commanded us to be subject to the higher powers *in this way*, viz. by rendering to them tribute.

"3d, This moral obligation is not destroyed by the knowledge that many of the purposes to which government may apply the money thus contributed are improper and inexpedient; because all that in a *moral* point of view the subject has to do with, is the *object* for which the tribute is paid, and, where this is right in itself, the contributor is morally exempt from further inquiry into the *uses* to which his money may be put.

"4th, The same *moral* obligation does not attach itself to the payment of taxes levied not for the support of government, but for the benefit of a particular class in the community; because, first, There is nothing in the civil relation to render it obligatory on the nation at large to pay for the advantage of a particular class; and, second, God expressly limits the general command to pay tribute, by the condition that it is to be paid only to those *to whom it is due* (Rom. xiii. 7), i. e. as the context shows, not to every one that asks it, nor to every one for whom the legislature may choose to ask it, but to those only to whom *we owe it*, viz. the government under which we live.

"5th, When a man, therefore, refuses to pay such a tax, he may

subject himself to certain *legal* penalties, but he commits no *moral* offence.

“ 6th, As a general rule, however, it is proper, both for peace’s sake, and because it is a less evil, to pay a tax which we may deem unequal and unjust, than to suffer the legal penalties consequent on refusal, to pay what is demanded.

“ 7th, But this general rule is to be qualified by the condition, that the object for which the tax is levied be not directly opposed to the will of God ; in which case, we are not only not bound to pay it, but bound not to pay it ; for, as no act of the legislature can make it right to support what God has forbidden us to support, to pay such a tax would be to rebel against God, and become guilty of sin in his sight.

“ 8th, We must distinguish between paying this tax, and respecting the authority by which it is levied. It is *always* our duty to do the latter ; but *sometimes* our duty *not* to do the former.

“ 9th, As every law proposes an alternative, by acquiescence, in *either* part of which the law is obeyed, and the authority of the law-giver revered, the man who peaceably submits to the penalty of the law when his conscience forbids him to follow its prescription, as truly respects the law, and submits to the power, as the man who chooses the other part of the alternative.

“ 10th, These principles admit of an easy and obvious application to the case of Dissenters, in regard to the annuity tax. Four things they establish on this head :—1st, No Dissenter is *morally* bound to pay this tax, for no tribute is *due* from him to the city clergy : he *owes* them nothing. 2d, As they occupy a position, and support a system, which the Dissenter believes to be contrary to the will of God, he cannot support that system without sin. 3d, As a subject, he is nevertheless bound to submit to the laws of his country. And, 4th, He can comply with both these conditions only by pursuing one course, viz. by peaceably submitting to the penalty of the law, while he resolutely and conscientiously declines to follow its prescription.”

—A.—*Scotsman*.

NOTE XLII.

MR HALDANE'S OPINIONS RESPECTING CIVIL ESTABLISHMENTS OF
RELIGION STATED BY HIMSELF AND DR ANDREW THOMSON.

From Mr Haldane having pronounced the author guilty of "rebellion against Christ," for not paying the tax imposed for the support of the Established clergy, it might be inferred by one ignorant of that gentleman's opinions, that he considered a tax by the civil government for the maintenance of the gospel ministry, one of the ordinances of Christ. But such an inference, however plausible, would be very remote from the truth.

Mr Haldane's views of civil Establishments of religion are thus given by himself—"Civil government cannot be a divine ordinance to regulate men in matters of religion and conscience—with *these it has nothing at all to do.*"—"When the laws of man run counter to the laws of God, they cease from that moment, in as far as they do so, to be binding, and with the Apostles Peter and John, we may appeal to all 'Rulers, Elders, Scribes, and Priests, whether it be right in the sight of God to hearken unto you more than unto God, judge ye.'"—"The civil magistrate then, as such, has nothing to say in matters purely of a religious nature."—"I do not consider civil government to be an ordinance of God to man for religion:—the Holy Scriptures contain every rule of duty which in religion mankind are bound to observe. In the church of Christ, the civil magistrate *as such* can never, according to Scripture, under the New Testament dispensation, have any place. When he enters there, he must come not as a magistrate, but as any other disciple. He must submit to the rules already prescribed by Jesus Christ, and he must assume no pre-eminence or authority, *from his official civil situation*, over others, even the meanest slave upon earth."—"Not a hint is given in the word of God, that the regulation of *any thing belonging to the churches of Christ*, forms a part of the object of civil government; but, on the contrary, every thing is already settled and published in the Scriptures, respecting church communion and religious conduct, individually and collectively, to direct the Christian or Christian societies, by the paramount authority of God himself."*

* Address to the Public, by Robert Haldane, concerning Political Opinions, &c.—2d Edit. 12mo. Edin. 1800. pp. 76, 97, 98.

Mr Haldane has never retracted these opinions. Amid all his changes, we believe, he has retained them unaltered. How he reconciles these opinions with holding that a Christian cannot refuse to pay tribute, which the civil magistrate requires for the avowed support of Christian ordinances,—thus interfering in a matter in which he has no concern, and on which Christ has legislated,—without rebelling against Christ,—it is not easy to discover. One would think that in this case the Christian was in greater danger of rebelling against Christ in paying, than in not paying *such* a tax. Is it because Mr Haldane holds the societies for whose support the civil government imposes a tax not “to be churches of Christ,” and, of course, the enacting such a law in reference to them, to be in no way “the regulation of any thing belonging to the churches of Christ,” that he thinks paying the tax so obviously not wrong? This account of the matter cannot be very satisfactory to those friends of the church, who have felicitated themselves so much in the possession of Mr Haldane as an ally—but we are not able to furnish them with any more probable solution of the difficulty. In the forthcoming demonstration of the author's rebellion against Christ, perhaps some light may be thrown on the subject.*

In the meantime it would seem as if the defenders of the compulsory support of the Church in Edinburgh were reduced to great straits indeed, when they so gratefully accept of an attempt at a proof that the clergy of that city have the same right to demand support from the Dissenters, as the Pagan priests had to demand support from the primitive Christians, on the supposition that the civil power had authorised them to do so. This seems to be the full extent of support, which Mr Haldane's argument, taken in connexion with his principles, gives to the claimants of the annuity tax. When one looks at the palpable demonstration, how highly Mr Haldane's interposition is valued, it is impossible not to say there must be a great lack of argument, or a great superabundance of gratitude among the defenders of that obnoxious impost.

The following clear and convincing statements respecting the true character of civil establishments of religion, may be fairly considered as containing Mr Robert Haldane's opinions on this subject, till he disclaim them. They are from the pen of his brother, Mr J. A. Hal-

* The hint was not taken. Not a word is said on *this* subject in any of the TEN long letters which followed. Silence is sometimes more *expressive* than language.

dane, the respected pastor of the Baptist Church, Tabernacle, Leith Walk, who is said by some who should know, never to have published any sentiments in which his elder brother was not understood to concur. "What is the object of a national religious establishment? Is it to maintain the doctrine of Christ in purity? The nature of the case, confirmed by all experience, shows that it must corrupt it. Is it to save the souls of men? Those by whom national religious establishments have been founded and supported, have in general proved the contrary by their indifference about their own souls. What then is the object? A national church is judged necessary for supporting the government, and thus the religion of Jesus is completely perverted. The gospel, which is the power of God unto salvation to every one that believeth, the message of reconciliation from the God of Mercy to his guilty creatures, which has for its object man's eternal happiness, is converted into an engine of state."—"National churches are in direct opposition to the nature of the kingdom of Christ, as exhibited in the New Testament."—"The great apostacy so frequently predicted in the New Testament, has taken place. The religion of Jesus has been transformed into a system of priestcraft and idolatry. We are now at no loss to recognize 'the woman drunken with the blood of the saints and of the martyrs of Jesus.' And to what is all this to be ascribed? To national religious establishments."—"We live in an age when the experience of the world is rapidly leading mankind to perceive that national religious establishments are hurtful to society. Trade was formerly shackled with monopolies, and bounties, and drawbacks, and prohibitions, and the merchants of those days 'honestly believed' that an alteration of the system 'would reach a blow to the commerce and power of the country.' The happy effects of a more liberal policy now begin to be felt, and the merchant, from regard to his own interest as well as to that of the country, rejoices in the change. The time is approaching when Christianity shall also be disentangled from the monopolies, the prohibitions, the bounties, and the drawbacks, by which her progress has been so long retarded. Already she is pluming her wings, and ere long, exulting in her native freedom and purity, she shall bear the olive branch to every land, and crown the world with her choicest blessings. Her timid friends may start when they behold her no longer supported by what they honestly believed essential to her prosperity; and the hoary statesman may anxiously inquire how the world can be ruled without the aid of a civil religious establishment. But the fears of the one will be lost in admiration—and the other will feel

relieved from half the cares and toils of government.”—These admirable passages, in every word of which we most cordially concur, are to be found in “*Two Letters to the Rev. Dr Chalmers, on his proposal for increasing the number of Churches in Glasgow*,” pp. 16, 22, 28, 18. Glasgow, 1818. They appeared without the name of the author in the first edition. A second and enlarged edition was, we understand, published with the author’s name, though we have not seen it: we shall be glad to see a third edition. It breathes throughout a truly Christian spirit. In a pamphlet published 1806, the same author says, “I consider every society, calling itself a church of Christ, which can enter into alliance with, or be adopted by any civil government upon earth, as *ipso facto*, constituting a branch of the family of that establishment, predicted by John, under the name of Babylon.”

Mr Robert Haldane is thus described by one to whose opinion of men and things, he is accustomed to attach much weight—the late Dr ANDREW THOMSON, as a man “that has some peculiarities in his views of faith—loves independency—hates confessions—and is an enemy to all ecclesiastical establishments.”—*Edinburgh Christian Instructor*, vol. xix. p. 555.

NOTE XLIII.

OBJECTIONS TO THE DOCTRINE RESPECTING TAXES FOR SPECIFIC PURPOSES, STATED AND ANSWERED.

These doctrines have found a very acute expounder and able defender in the *Eclectic Review* for August 1838. One of the most important services which can be done to a good cause, is clearly to state the objections to which it is likely to be thought liable, and a still more important service is satisfactorily to reply to these objections. The friendly reviewer has very effectually performed both these services for the good cause to which this work is devoted. I cannot resist the temptation to give the following most appropriate observations a place here.

“That there are difficulties connected with the subject no one will deny; but they are not insurmountable. (1.) It may be said, if you object to pay a tax imposed specifically for a bad object, how can you consistently pay the general taxes which may be partially applied to such objects? To this it may be sufficient to reply, that the support of government is laudable and necessary—that security of property,

life, and liberty could not otherwise be maintained—that for these objects tribute is a debt, and that we must not refuse the whole on account of the misapplication of a part, which were obviously unjust. But when a bad object is defined, when a tax for that object specifically is imposed, all ambiguity is removed, and we owe it to ourselves, to the government, and to God, to keep ourselves clear in such a matter.

“(2.) Tribute it has been said is a debt ; and as my obligation to pay my private debts is irrespective of the abuse which may be made of them when paid, so my obligation to pay tribute is not affected by the purposes to which that tribute may be applied. In the one case the creditor, not the debtor—is solely responsible for the abuse of the money paid to him ; and so is it in the other. This objection, however, assumes that subjects have no more control over the state, than private and independent individuals have over each other. But especially, it takes for granted the very thing to be proved, namely, that the tribute in the case supposed is really a debt. When I pay a private debt, by the very supposition, I owe it for something which I have received or am to receive. By equity or compact the debt exists, and all that I have to do is to pay it. But in the other case, the question is, whether the tribute be debt ? Pay debt by all means ; but ascertain, first, whether what you pay be debt, especially when you are assured that whatsoever you pay is to go to mischief. Obedience to civil authority, in all lawful things, is a debt, and as a debt I pay it ; but when the state requires what no state has a right to demand, the doing of what is evil, the debt of civil obedience is not constituted ; a false claim is made ; a fictitious debt is created ; when I am told I owe it, I am told what is not true ; when the bill is urged I have a right to dishonour it. By a prior and paramount law, the state has been denuded of all right, or rather all right has been denied to the state to constitute such a debt against me. So, if I am required to support with my money a wicked object, the payment is not due ; I do not owe that debt ; and in refusing to pay it, it is not debt I refuse to pay. The law of God renders it sinful in the state to impose, or in me to pay in such a case.

“(3.) Perhaps the most formidable objection remains to be noticed. It may be asked who is to judge respecting the objects of taxation ? Must every individual be left to judge for himself ? In this case, will not the pretence of conscience be in the mouth of every greedy malcontent ? Will not one object to this tax, another to that, a third to all, until the resources of the state be drained, the whole process

of its administration suspended, and anarchy, first, with its ruin, and next, with its iron despotism, ensue? To all this, it may be replied, that if this refusal, on the plea of conscience, is to be rejected for its abuse, every thing good being liable to abuse, may be disposed of in the same way, for the same reason—that if this plea is invalid, in regard to taxation, it must also be invalid in regard of civil obedience generally—that the power possessed by the state to coerce and restrain, is sufficiently powerful to prevent, not perhaps the pretence of conscientious objections to particular taxes, but the reducing of these pretences to practice—that when passive resistance to any tax becomes general, it is invariably wrong to impose it, and its imposition in such circumstances can only be vindicated on the principles of tyrannical despotism—and that the opposite doctrine, namely, that which would exclude the conscientious judgment of the individual from this department of his obedience, is mischievous and degrading, investing government with despotic power, reducing the subject to a mere machine, which the state may move at its pleasure, and assuredly preparing the way for intolerable oppression on the part of the state, the ruin of all that is generous, noble, and free on the part of the people, and ultimately some violent reactive convulsion to break in pieces a yoke, which even men reduced to the condition of the brutes can no longer bear.”—*Eclectic Review, New Series*, vol. iv. pp. 172–174. 1838.

The following shrewd remarks from a masterly article in the United Secession Magazine, meet most satisfactorily two of the principal objections, brought against the doctrine of the treatise respecting tribute.

“It is not true, that the government requires of its subjects no sanction of the purposes for which a specific tax is exacted, or to which it is applied. Laws usually contain preambles setting forth the necessity, or importance, or excellence of the purposes for which they are made (the acts imposing the annuity tax are appropriate instances of this), these preambles are addressed to rational beings, and must therefore be designed to secure the approbation and sanction of the subject to the purposes in view. To suppose the reverse is to suppose that rulers are knaves, and that subjects may be treated as fools.

“But though it were true, that government does not require the subject to sanction the destination of a specific tax, is the conscience of the subject thereby relieved? Will government answer for him at the bar of God, for doing an action which his conscience condemn-

ed? Or has the law of God not merely absolved him from inquiring into the moral character of certain actions, but absolved him also from consistency, and warranted him to *do* what he esteems sinful, merely because he is not required to *approve* of his own deed? * * *

“As to the analogy between a tax and a debt, it is plain, that as no one can be called upon to pay a debt until it has been incurred, so no tax can, in a free country, become due until a law has imposed it. But what if this law, by which a tax has been imposed, be a profane usurpation of the prerogatives of God? What if it be a direct violation of the prior and paramount law of the Creator, which no legislature, therefore, has a right to make, and to which no human being has a right to consent? And what if by the avowal of its profane and impious purpose, it calls on all the subjects as rational beings, to judge of that purpose, and by their obedience consent to it? Is the tax then *due*? Is it a *debt* which, according to the Apostle’s injunction, can be paid for conscience sake? Such a tax is not analogous to a just debt appropriated by the person to whom it is due, to an immoral purpose, but it is analogous to an exaction made upon the debtor, avowedly for such a purpose, and over and above what he was legally and morally bound to pay; it is analogous to a burden added to the stipulated rent of a house, and expressly demanded for the purpose of enabling the proprietor to violate the law of the land; it is as if the ruler of a city, or the governor of a colony, should exact money to which the supreme authority can have given no claim, inasmuch as it is avowedly exacted for the purpose of waging war against that supreme authority itself.”—*United Secession Magazine*, vol. vi. pp. 309-311. Edin. 1838.

The paragraphs which follow, contain the fuller development of certain statements made towards the close of Part II. of the foregoing Treatise, p. 167, *et seq.*, and may be of use in helping to a right decision some of those who “halt between two opinions,” on the interesting and practical question in Christian Ethics, to which they refer.

Can a person, conscientiously persuaded that civil establishments of religion are inconsistent with the revealed will of God, without sin contribute to their support, by voluntarily paying a tax imposed for this express object? The answer to this question, which naturally suggests itself to every mind is, No: he cannot; and he cannot for two reasons; first, a man ought not to sanction what he counts wrong, in others; and, secondly, still less, if possible, should he himself do what he counts wrong. In supporting an establishment, by paying

a tax imposed for that specific object, such a person does both. He virtually gives a sanction to the act of the civil government, forming and maintaining the establishment, which he conscientiously condemns, and he also yields direct support to this, in his estimation, immoral institution.

It is usual to attempt to evade the force of the first of these reasons, for the criminality of a dissenter supporting a civil establishment of religion, by the statement, that in paying a tax, no sanction is given to the conduct of the government, farther than an implied declaration, that upon the whole, in the estimation of him who pays this tax, the government serves the great purposes of civil government, and therefore ought to be supported. This reply, however, in all its extent, applies only to taxes, imposed for the general purposes of government. With regard to taxes, for a specific purpose which I count sinful, such a general conviction can bind me only to passive obedience. I must not, while such a conviction continues, resist the government; but I *may* innocently, so far as the government is concerned,—and I *must*, so far as conscientious principle is involved, decline active compliance, and rest in passive obedience, quietly allowing the government to *take* what my duty to God will not permit me to *give*. In doing so, I in no degree injure the government. Its power is as much honoured in submission as in obedience. Even if my example were generally followed, it could only tend, not to the destruction, but to the improvement of the government, by getting rid of a law which tends to shake the attachment of the subjects.

I know that another mode of neutralizing the force of this reason has been resorted to; grounded on the admitted difference between a wilful transgression, and an unintentional error. “I think,” it has been said, “that civil establishments of religion are unwise and mischievous institutions, preventive of much good, productive of much evil; but in originating and maintaining them, I consider governments rather as having fallen into a blunder in legislation, than as having been guilty of a delinquency in morals;—in one word, I look upon the civil establishment of religion as not a sin, but a mistake; and I can do without scruple in reference to them, considered in this latter aspect, what I durst not do at all, in reference to them, considered in the former.”

In reply to this ingenious suggestion, we must remark, that even in the case of an error, innocent in a moral point of view, because unavoidable, on the part of him who commits it, I who know it to be error—mischievous error, am morally bound not to give, in any mea-

sure, sanction to that error, while I make all just allowances for him who fell into it ; and the degree of this moral obligation is proportionate to my sense of the mischievous tendency and effects of the blunder. The case of civil establishment of religion is not, however, a case of this kind. It is not a case of mischievous, yet innocent, because unavoidable error,—though, even in this case, I should be bound to guard against giving any thing like sanction to it. We are far from attributing to the founders of these establishments, universally, or indeed in any case, the fearful guilt of, with conscious intention, violating divine laws, and usurping divine honours : but we hold that the mistake, though not in every instance equally criminal, is in no instance altogether innocent.

The authors of civil establishments have all of them been in a mistake ; but though the mistake has not been the same in every case, in all cases it has not only been an injurious, but a guilty mistake. In forming these institutions, their authors have been influenced by mistaken views, either of political expediency, or of religious principle, or of both.

The expediency errorists have been of two kinds. The first class consists of Infidels, who, while they regard all religions as equally the offspring of imposture or delusion, conceive that they may be turned to good account for gaining certain important ends of civil polity, or who, finding it impossible to extinguish the religious principle, judge the establishment of a particular class of religionists, over whom they shall have a peculiar control, the most effectual method of keeping within safe bounds a principle so powerful, if not for good, for evil. Hobbes, Harrington, Hume, and Frederic of Prussia, belonged to this class. The second class consists of professed, but inconsistent believers in the Christian revelation, who think that the establishment of the form of religion, which antecedently prevails most extensively among the subjects, may either directly or indirectly facilitate the exercise of government in all its various functions.

Now surely, to seek as, in the first case, by the establishment of admitted error, to obtain political good, must on all but atheistical principles be allowed to be immoral ; and even, in the second case, there is a confounding of truth and falsehood, right and wrong, which has a character of moral pravity, as well as philosophical absurdity and political inexpediency.

The mistake of the religious errorists is of a very different kind, but it has this in common with the mistakes of the expediency errorists, that it is not innocent, because not unavoidable. The authors

of both our Establishments were, I have no doubt, many of them firmly convinced that secular powers, are not only warranted, but bound to establish the true religion, and to suppress all false religions among their subjects; and that for them to have let this alone, would have been the enormity of crime, as well as the height of folly. That they should have entertained such notions, wildly absurd, fearfully impious as they now must appear to every enlightened mind, is not wonderful. The wonder would have been if they had not entertained them. But to account for an error, and to defend it, or even apologise for it, are very different things. To prove it natural, is not to prove it innocent. With the Bible in their hands, and its supreme authority admitted by them, these men were not only mistaken but criminal,—deeply criminal as well as deplorably mistaken. To what degree their errors extenuated their criminality, is left to Him to decide, who alone has the data and the wisdom necessary for such a decision; but it seems plain that my sanction, even of what would have been to them who originated it, the result of innocent, had it been unavoidable error, when it appears to me in its true colours as opposed to the divine will, can not be innocent; and a still higher degree of impropriety must attach to my sanction, when, from the beginning, criminality, as well as folly, characterised the authors of the institution. Viewed, then, merely in the light of sanction given to the criminal act of another, I do not see how the support of a civil establishment, on the part of a conscientious Dissenter, by the voluntary payment of a tax imposed for that purpose, can be satisfactorily defended.

But the difficulty of such a defence increases—or rather its impossibility becomes more apparent, when we come to consider it in the aspect of the direct support of a system, which I, as a Dissenter, must conscientiously condemn. I am quite aware that the justness of this view of the subject is questioned, and even denied, by many intelligent and conscientious dissenters. “Neither,” say they, “in the estimation of the government, nor in our own estimation, nor in the estimation of others, is our payment of a church tax considered as an approbation of the principle of an Establishment, or of that particular Establishment, to the support of which the produce of the tax is professedly devoted. As a question of conscience, then, so far as a supposed implied approbation of a principle or a system, conscientiously condemned, is concerned, I feel no difficulty in the matter. It may be wrong in me to pay the tax, but not on this principle.”

Here I would remark, that what may be termed the *natural* moral

significancy of an action, or course of action, is not, except on very strong grounds, to be disregarded. To pay a tax voluntarily, imposed for the specific purpose of supporting a civil establishment, as a useful institution, is the natural expression of approbation, or, at the very least, of non-disapprobation. To refuse to pay it, especially if I must suffer for refusing, is the natural expression of disapprobation and condemnation. It is, to speak the truth gently, dangerous to employ either words or actions with a signification which does not naturally belong to them. If it is not falsehood and sin, it is something which naturally leads to falsehood and sin, and which, if generally prevalent, would confound all moral distinctions, and make men "call evil good and good evil, put darkness for light and light for darkness, bitter for sweet and sweet for bitter."

But, farther, civil establishments of religion have not in this country been based, on the mere will of the civil magistrate, nor on their importance as instruments for gaining the ends of civil polity. In the laws sanctioning them as churches, and calling them into existence as establishments, their support is represented as a religious and moral duty, and on this ground demanded of the subjects. Surely without a very strong disclaimer, the payment must be considered as what the law, which demands it, declares it to be. That in the estimation of the founders of the establishments, such payments on the part of conformists were considered as the performance of a religious duty, as well as the discharge of a civil obligation; and that, in reference to non-conformists, their exaction by forcible means was considered as the punishment of a moral delinquency, as well as of a civil crime,—there can be no reasonable doubt; and it would seem that the only way for a non-conformist to steer completely clear of appearing to government to approve of that, of which he really disapproves, is to take the course which secures that the exaction shall bear on its forehead, what in his case is its true character—and thus to make it obvious that there is no mistake.

The principle that the voluntary payment of a tax, for a purpose of which I conscientiously disapprove, is safe, because I am inwardly conscious, that while I pay it, I do not approve of it in its object, may be in practice convenient, but in morality is hazardous. It would have saved a great deal of trouble to the primitive Christians, when required to offer incense on an idol's altar, and to our covenanting ancestors, when called on to take equivocal and seemingly contradictory oaths. The former were quite conscious that they meant nothing less than to offer religious homage to the idol—

and the latter, that they understood the oath in a manner consistent with their conscientious views. But where had been “the resisting to blood striving against sin”—“where the faith and patience of the saints?” Without a very plain and public disclaimer, a man must be considered as holding what his words and actions naturally mean; and it must be a very strong case indeed where he is warranted even with such a disclaimer, to use words and do actions which naturally mean the very reverse of what he thinks and feels. To do so in any case, is to endanger “the simplicity and godly sincerity” with which Christians should have their conversation in the world. Habitually to do so would be to destroy them.

With regard to the conclusions which others draw from such conduct, there is some difficulty in speaking decidedly. That is a point not easily settled; for it is not easy to arrive, with any thing like certainty, in many cases, at what these conclusions are. When a man’s conduct and his professions are at apparent variance, it will depend on circumstances whether the one or the other be viewed as expressive of his real principles, or whether the conclusion come to, be not, the apparently not unreasonable one, that the man has no principles at all. At any rate, in the case before us, if a man habitually profess to disapprove of civil establishments of religion, and yet habitually do what is naturally expressive of approbation of them—the impression made on the public mind will undoubtedly be, that whatever he may profess, he does not believe them to be the decidedly bad thing which his neighbour does, whose profession and whose practice on this subject obviously correspond. The respect which is due to straightforward consistency, he does not deserve, and he will not receive, either from friends or from enemies.

NOTE XLIV.

CONDUCT OF OUR COVENANTING ANCESTORS IN REFERENCE TO
TAXES EXACTED FOR PURPOSES RECKONED SINFUL BY THOSE
ON WHOM THEY WERE IMPOSED.

The reference in the text is to the conduct of a portion of our covenanting ancestors, who refused to pay “the cess,” imposed by the Convention of Estates of the kingdom of Scotland, in 1678, for the

purpose of "enabling his majesty to put down dangerous field conventicles."—The following is the account which "the honest chronicler," Wodrow, gives of the result of passing the act imposing the cess; and it is to be remembered, if the historian had a bias, it was not in favour of the refusers to pay the cess. "This act divided those who were already disjointed, and the debates, about the lawfulness or unlawfulness of paying the cess here imposed, were not few. Upon the one hand, it was strongly urged, that the payment of this cess was an active concurrence with the persecutors in their bearing down of the Lord's work in the land, and it was said, *it was much the same whether this was done by the sword or the purse*. Upon the other side, it was reasoned, that since violence was both expected and used, it appeared more advisable, by a piece of money, to preserve themselves and their families alive, and their substance in their hands for better uses, than by an absolute refusal to give an occasion, and afford a legal pretext to the collector's cruelty, to destroy all and take as much as would raise and maintain two armies. It was added, that paying cess in this case was not spontaneous, but involuntary and forced, and therefore to be excused, a person in such circumstances being rather a sufferer than an actor; and though it would be certainly sinful in a merchant to throw his goods into the sea in fair weather, yet it becomes his duty to lighten the ship that he may save his life in a storm. Some of very good parts and great piety were upon both sides of this debate, and the heats and heights among ministers, preachers, and people, were not small. The banished ministers in Holland were warmly against paying this assessment; and such ministers here who were of the same sentiments, preached against the paying of it, and some of the hearers violently pressed ministers to preach against it, while those of the other side asked how they would keep it and much more out of the soldier's hand? Against paying it the example of one of the primitive Christians was much urged, who having rashly demolished an idol temple, chose to suffer martyrdom, before he would rebuild it. Those who were for paying it as the lesser evil of suffering, were silent till the clamour and heat was a little over, and used to declare, that if in their judgment they had been against paying it, they would have advised people to retire and leave the country. Some few did pay it with a declaration, and chose the middle way betwixt paying it without any testimony against what was evil in it, and refusing to pay it at all."—*Wodrow's History*, Book ii. Chap. xiii. vol. ii. p. 491. 8vo. Glasgow, 1829.

Those who refused to pay the cess seem to have acted not only

the most consistent part on the principles of sound ethics ; but also to have followed out the path chalked out by the famous reforming General Assembly in 1648. When the Scottish Parliament, in that year, resolved to carry war into England, and called for support, both by men and money, from the nation, a number of officers refused to serve ; and many refused to pay the tax for defraying the expenses of the war. In these circumstances, the General Assembly published an elaborate and eloquent declaration, in which, while they disclaim “ all disloyaltie or undutifulness to the King’s Majesty, and also factious disposition,” they call on all under their authority, in cautious words, but which, in the circumstances of the case, cannot be misunderstood, “ so to respect and honour authority, as that they be not the servants of men, nor give obedience to the will and authority of rulers, in any thing which may not consist with the word of God, but stand fast in the liberty wherewith Christ hath made them free, and obey God rather than men,”—charging them “ that they do not concur in, nor any way assist this present engagement, as they would not partake of other men’s sins, and so receive of their plagues ; but that, by the grace and assistance of Christ, they steadfastly resolve to suffer the rod of the wicked, and the utmost which wicked men’s malice can afflict them with, rather than put forth their hand to iniquity.”—*The Principal Acts of the General Assembly, convened at Edinburgh, July 12, 1648*, pp. 21, 23. Folio. Edin. 1648.

The following judgment respecting the conduct of those who, from conscientious principles, scruple about paying a tax imposed for a purpose which they think sinful, seems much more consistent with sound sense, as well as Christian charity, than that which pronounces it “ rebellion against Christ.”—“ In the present, and all like cases, it is highly of the concernment of all men to be careful and circumspectly cautious, when the case comes to be stated upon suffering or not suffering, in examining well whether the cause whereby a man shuns suffering be of God, and not to take plausibilities for demonstrations ; seeing the flesh is not only ready to inculcate that doctrine, *spare thyself*, but is most witty of invention to plead for what will afford ease, and as unwilling to listen to what would, if attended to, expose us to the malice and rage of rigorous enemies : It being always more becoming the professors of the gospel, and the followers of our Lord Jesus, who must walk to heaven bearing his cross, to abstain, at all hazards, when the case is doubtful, than to rush forward upon an uncertainty, when it is not evident that they have God’s approbation in doing so. Yea, suppose a person erred to

his own hurt, in the first case through weakness, yet it would argue much more sincerity and uprightness towards God, and is done with less danger than in the other. And as many as walk according to these rules are like to have the peace of the Israel of God, to compensate whatever of trouble or loss they may meet with in the world, when others shall not have this bird of Paradise to sing in their bosom.”—*A Hind let Loose*, 1687, pp. 709, 710.

What the section of Covenanters, referred to above—who “suffered more for their adherence to the Covenanted Church of Scotland, and for their opposition to all its deformations and defections than any party within the land,”—held on the general subject of the limits of civil obedience,—and what they had to say in defence of their opinions, are very strikingly brought out in the following account of the examination of SHIELDS, perhaps the ablest of their leaders, before the Scottish Prelates, as most graphically described by himself in his interesting Autobiography.—The extract is instructive in a variety of points of view. These prelates answer to Jerome’s description of the Emperor Decius—“*Hostis callidus,—animas cupiebat jugulare, non corpora,*” which Shields very appropriately prefixes as a motto to his book.

“MY CONFERENCE WITH THE PRELATES, MAY 5TH, 1685.

“When I came into the chamber where they were in the council-house, I found three of them sitting, being (as I was informed since), the two Arch-prelates of *St Andrews* and *Glasgow*, and the Prelate of *Dunkell*. After a while’s silence, one of them had a harangue, seeking leave first of the rest, to this purpose, that such was the respect and regard they had to my life, and youth, &c., and unfeigned desire of my better information, and being brought off these dangerous notions, so dangerous both for life and conscience, that though they were called to wait on weightier matters, yet they were content to postpone all to the desire they had of my advantage at this time; and, therefore, as they understood, I stuck upon some points of conscience, very ticklish and disputable, which yet may be, I had not duly considered; so they hoped I would not throw away my life upon these things out of a humour of obstinacy, and refuse what reason they would offer for my conviction; for, for that end this conference was appointed.

“The harangue was prolix to this purpose; and I was never very prompt or skilful in making extemporary answers; yet the Lord helped me to say something to the effect following:—I first prefaced, that I must needs decline giving them their usual titles, and that I

hope they did not expect them from me, nor would not be offended at my forbearance; for I durst not make use of any such compellations as might signify my respect to, or approbation of their office. They answered, they could bear with that from me, though they believed they were in cases to justify and maintain their titles before the world or against it,—somewhat to that purpose.

“ Then I proceeded to tell them, that [it] was not my business, at present to dispute points of state with them: I was a *Presbyterian*, and did own all *Presbyterian principles*, and should be content to offer what light I had for them, or to hear what they had to say against any of them; but I believed their purpose was, which was also my desire, to restrict their discourse to those that rendered me so obnoxious, and on which my sufferings were stated, and for these I offered them freely, that if they could produce better arguments against them from Scripture or reason of any convincing force, than I had for them, I should be content to lay them down, but desired that they should not cajole me into a blind implicitness, by authority or arguments taken therefrom; and promised that then they should not find me either obstinate, or disingenuous, or standing upon any humour or honour, for I had none to look to but honesty.

“ They professed with protestations a great tenderness to conscience in things wherein the conscience was concerned, but that those things that I endangered myself for, were small and disputable,—no ways fundamental. I thanked them for any regard they had for my life, which also, I did value much, for I told them I had not lived so long, and though I had been much afflicted, I had not been so devoid of the comforts of life, as to be weary of it, or throw it away for nothing. And though these truths I maintained were comparatively not so material as some others, yet to me the least hoof or concern of truth, was more valuable than life, or all interests of the world, and that I did not think them small, but great matters to me. If they were doubtful or disputable to me, I durst not throw away my life so confidently for them; but now, the denying or doubting of them were a manifest doing violence to conscience. I will rather suffer all violence before I do that; but yet I will lay myself open for your information.

“ They told me, I might have reason to suspect my own opinion, being but a young man, and to be supposed not so well acquainted with those controversies, nor of so mature a judgement to assert things in contradiction to so many eminent and learned men in all ages. I confessed the supposition was rational upon these grounds, but I had

endeavoured to inform myself as well as I could. I could do no less than embrace light when it is offered. I had not troubled the world much with my assertions, having long declined giving my judgement in those things, until it was extorted from me: But now if they would inform me better out of these learned men, I was willing to hear it, and receive it. So they addressed themselves to it, and took their turns about, to propound their arguments.

“ But first they interrogated me many things, as preliminaries, though altogether extraneous to the following debate, as first, how old I was? I answered, I thought I was about 25 or 26 years of age. Then, where I was born? And if my father was a Presbyterian? And if he had any fortune in the world? If he was an heritor? All which I answered obviously. Then, if I was graduate? And where? and how long ago? And what was my station and study before I left Scotland? I answered, my station was to teach children, my study was to be a Christian. Being asked in what parish I lived, I answered in several parishes, which I could not give a ready account of, being no great observer of parishes as now constitute, nor haunter of their kirks. Then, what places of the world I had been in, in my travels? I told them. Then, how long I had been in England? I answered. Then, in what vocation I went abroad and travelled by sea? I answered, in that of a chaplain of a ship. And again, how I officiated? Whether I read common prayers or not? I answered no; I would never do that. Next, how the ship's company was pleased with me? I told them I could not tell, but they never expressed their displeasure. Then, what ministers I was acquainted with at London? I told them I could not give an account, but I was acquainted with severals, both Scotch and English, both Presbyterian and Independent. They asked, if I was acquainted with no regulars officiating in churches? I said, no. They asked, if I never went to hear none? I answered, no, never. They said that was my great disadvantage, for they were learned men. I said there were many learned men there. They asked, how the Presbyterians and Independents did agree? I answered, they had differences in judgement, but these did not alienate their affection and sympathy; but they lived together as brethren. Then they interrogate me about several men, which is not worth the rehearsing. Neither was I willing to answer, smelling out at last what was the tendency of that multiplicity of questions, only to try my humour and freedom.

“ At length they came to the matter, and said, they would reduce all these opinions I was tried for, to one head, which they thought the

fountain-head and spring of all ; that was, that principle of the lawfulness of private subjects, using defensive arms against their sovereign. They asked, if I had read books on that controversy. I told them, I had read some. We doubt not, said they, but you have read those of your own party, as *Lex Rex*, and *Naphtali*, *Jus Populi*, &c. But did you ever read and consult their antagonists, that are against that thesis? I answered, I had never the opportunity of reading much, but yet I had seen some who had written against it, and of late one Mr Sherlock, against resistance of the sovereign's power, the reading of which did confirm me in my judgement of the lawfulness of that which he went to confute, as much as ever any thing did, his arguments are so weak, and his expressions so unsavory. They asked me, if ever I had read the Fathers, Greek or Latine. I answered, I never had the advantage of reading much of them, though I could not deny but I had read some, both historians and others. No, said they, we believe you do not value the Fathers much. Yes, said I, I would value the opportunity of reading them, if I had it. Its too late now, said they, to expect time to fall about that study. And so went about to state the question, which they formed to this purpose : Whether or not it was lawful for subjects, or a party of them, when they thought themselves injured, or to be in a capacity, to resist or oppose the supreme power of a nation ?

" I quarrelled at this stating of it, and objected several things, as in the first place, that the question is not, if when a party think themselves injured, they may resist ; but when they are really injured, and not for every reality of injury neither, but when their nearest and dearest liberties and rights, civil and religious, were invaded, especially such an invasion as threatens ineluctable subversion of them, and not then in every case neither, if other means to prevent it be accessible ; but chiefly when all addresses, petitions, remonstrances, are prohibited. Next, I thought not a party's esteeming themselves in a capacity, or being really in a capacity, did make resistance lawful, except *cæteris paribus*, they had a call as well as a capacity ; they behoved to have both necessity and a right to the action, and the things they were contending for were their real and legal rights, their capacity gave them only a conveniency and encouragement to go about the thing that was previously lawful on a moral ground ; and lastly, I alleged that it was not the Supreme power that was formally intended to be opposed *per se*, but only *per accidens*, the person or party invested with it happening to be on the side invading, and the defenders were not to make distinctions and excep-

tions, but to defend their own. These things were several times tossed, but I chuse rather to set them down as they now occur, than in the method they were then proposed.

“Against the first it was urged, that the question must needs be, when the people think themselves injured, for they have no rule to regulate them, they will not, neither can they admit of another reference? I answered, their thought is the understanding they have of the rule, but it is not their rule, they could walk by no other understanding than their own, and it might be supposed they have the best [knowledge] of their own grievances, and so it would only follow that when their thinking themselves injured was wrong, and only pretended, then the resistance was unjust; but when their thoughts were true, then it were just.

“It was urged, but who shall be judge, whether they be really injured or not in their rights and liberties? Should they be judges of their own cause, then every person or party might claim the same privilege; this would confound all judgement in the world. I answered, that I thought the laws of the kingdom should judge it, and the world and all impartial spectators might judge that: For when it comes to a necessity of resistance, it is to be supposed that the grievances complained of, and sought to be reduced by arms, are not hid but manifest. It is not so with any private person, pretending particular injuries. It cannot be so with any party only pretending their suffering wrong.

“It was urged again, that the king and his party with him might have as much and more reason to judge of the people’s indignity done to his sovereignty, and that really they deserved to be so dealt with as they complained, and in that case, who shall be judge between the king and the people? I answered, let God be judge, who could only give the essential decision; but if no other agreement could be made otherwise, I could see no other way of determining the case, but by standing laws, and the clearest evidence of their respective manifestoes to the world of the state of their cause. It was replied, that is the only rule of judging, but who shall give a judgement? I answered, if the king and the people be supposed to be two parties, I could not see how he could be both judge and party, for then he might claim that prerogative in every case. They said, the king can never be a party, but always a judge. I alleged, that he could not be in the supposed case, for that would establish tyranny in the world. But shall the people be judges, said they, over their king? Then they descanted on people’s dethroning their kings, and reducing them, at some length,

which is neither fit nor possible for one to rehearse. I remember I told them, that this was no act of judgement for a people to defend their own. Defence is no act of jurisdiction, but a privilege of nature.

“ Much more was spoken of fixing of a judge to those cases of opposition between a king and his people. I remember when I said, that for a people’s religious rights there could be no judge, but the *Norma*, which is the Scriptures; they replied to this purpose, that then there would never be an end of the controversie; I said, if that would not hold, then we must flee to the old plea of a Pope, or a general council. They said, the king must have the judgement of what religion he will have professed in his kingdom, and subjects have no remedy but submissive suffering. I said to this effect, that subjects must have the discretive judgment, what religion they will embrace, and when it is established as a landright, they might contend for it sometimes otherwise than by suffering.

“ When the state of the question was allowed to be reformed, I made it to this effect:—Whether it be lawful for a community of the subjects of a land, when really injured and deprived, or unavoidably threatened to be deprived of their nearest and dearest liberties, lives, fortunes, &c., and all redress otherwise by remonstrances, &c., is rendered inaccessible,—to defend themselves and their religion, &c., by arms against their princes’ emissaries? I affirmed it was. They gave the contradiction to it, in this position, or to this purpose, that it was no ways lawful in any case, or upon any pretence whatever, to resist the sovereign power of a nation, in whomsoever it was resident, whether a single person or state, and which way soever it were erected, whether by hereditary succession, or election, or conquest.

“ I was required first to prove the contrary, which I would have addressed myself to do, and offered the head, that I would insist on the probation, viz. from the law of nature, practice of nations, and scriptures. Others opposed that, insinuating as much as a promise (or rather threatening) of another hearing of that matter, and willed rather their lordships to propone the arguments for my conviction and confutation. I shall only hint at some heads of them as they occur. One was taken from the practice of our Saviour, the best example, who both in the tract of his life lived peaceably under the then government, and at his death he could have resisted, but would not. I answered, suffering was the end of his voluntary susceped humiliation, and his errand to the world appointed by the Father, and undertaken by Himself. That it is not the rule of our practice.

It was replied, even in his suffering he left us an example, that we should follow his steps. I answered ; it's true in many things ; as he was a martyr, his sufferings were the purest rule and example for us to follow, both for the matter and frame of spirit, submission, patience, constancy, meekness, &c. But not as he was our sponsor, and after the same manner. For then it were unlawful for us to flee, as well as to resist.

“ They instanced that Scripture, Rom. xiii., as an express proof, repeating the first, second, and fifth verses. I replied, I would pick my answer out of the verses they had skipped. That I thought indeed it was damnable to resist the excellent ordinance of God, or any powers acting as becomes persons cloathed therewith, keeping their line of subordination to God, and subserviency to the end of their erection, as being not a terrour to good works, as the ministers of God, &c. But otherways to resist the abuse of the power, was not a resisting of the power. It was urged, that all powers there are ordained of God, and therefore, be what they will, not to be resisted. I answered, all powers are not such as they are described, for there are qualifications of the persons and powers not to be resisted. It was replied, these are not qualifications of the powers, but motives for our subjection and obedience. I answered, they are so, but they could not be motives, except they were found true in the persons. But, said they, there all power is ordained of God, be what it will. I answered, all power is ordained of God by his providential will, but not every power assumed of men, is so by his approbative and preceptive will. One of the prelates said, that even his providential will is not to be resisted. I answered, that the holy product of it cannot, and may not, but the instrument he made use of, sometimes might be resisted. I granted, that even tyrants, when God lays on this yoke as our punishment, must be subjected to, as a plague, but not always to be submitted to, when he gives a capacity to shake off the yoke. Otherways the devil must not be resisted, for he is the prince of this world by permissive providence. It was urged, that Nero was then regnant, when this command of non-resistance was given. I answered, that the command was given in general for our instruction, how to carry on our duties under lawful magistrates, abstracting from Nero. And I thought it was hard to prove that Nero was then a tyrant. I have read of the *Quinquennium Neronis*, wherein he reigned very well. And, however, I alleged, that an ill man might sometimes be a good magistrate, they said, that was a great confession from me.

“ Then I was asked, if I owned that that article of our confession of faith, that difference in religion or infidelity, could not make void the magistrate’s just power or greatness? I said, I did with all my heart. They asked, how I could reconcile that with that principle of resistance? I said, very easily; for, first, though difference in religion did not make void his power, yet it might stop from admitting to that power, where that religion he differed from was established by law. But waving that, at this time, though it did not make void his power, yet his subjects differing from him, might defend theirs. Again, a king might differ in religion from his subjects several ways; some might be obstinate, and always continue in a different religion. Others might fall from that, which sometimes they professed. Some might not only profess the same religion with their subjects, but engage by covenant to maintain it, and on these terms be admitted to the government, and yet fall from it. Some again may not only apostatise, but persecute the faithful professors of it, and go to destroy them and their religion. I think in that case he may be resisted, and they may defend their own, not meddling with his religion.

“ Another Scripture argument was brought from 1st Peter ii. 13, &c. I answered, I was endeavouring to answer that command now, in this my suffering lot, I must and do submit. They replied, that is but forced and not conscientious. I said, they would not require active obedience to every pleasure of every ordinance of man. They said, passive, at least, is required. Well, said I, all that is forced, suffering is always forced. But I alleged, that submission there required was very consistent with defensive arms in some cases. They might submit to the government, and yet defend themselves against unjust violence. We had some wrangling about this.

“ Then they argued, from the example of the primitive Christians, who they could demonstrate were many times in a capacity to resist, and yet did it not. I told them, that was a dispensation of suffering; I could not well tell what capacity they were in sometimes, or whether they did not sometimes resist, but I thought the case was not alike; and if we were stated in the same circumstances, living under the Turk’s government, having no vote in the law, nor no privileges of legal land-right to our religion, I could not tell, but we might do as they did, if the Lord spirited us as he did them. Then I offered to prove, it hath been the laudable, at least not condemned practice of many Christian nations. I instanced the carrying on of our work of reformation at home, and the Bohemians, and French, and Hollanders’ resistance. They said, these were not so much respected and

proposed for imitation as the primitive Christians; and besides, said they, these acted by authority in the subordinate magistrates, as parliaments, &c. I answered, I owned indeed, some of our writers, for defence, did maintain only that carried on by the *Ephori*, or *Premieres Regni*, but I could not stick there; for I thought that was no authority; but that of subjects resisting their prince, and defence was no act of authority, but a privilege of nature, common to all. They urged much the old saying, *preces et lachrymæ*, &c. Prayers and tears are the church's arms. I granted they were so, the only best prevailing arms; and without which all others would be ineffectual, and that they were the only ecclesiastick or spiritual arms of a church as a church; but the members thereof were men, and as men they might use the same weapons that others did.

"When I offered to plead from the law of nature, as that which could not contradict the revealed law of Christ, and which was not the grant or donative of princes, nor to be dispensed with or abandoned to their pleasure: They had some quibbling sophisms, that if this were the law of nature, then in no case it ought to be laid aside, then a man should resist always, and he can no more part with his resistance than with his life; and therefore, said they, if you were going to be hanged, you ought to fight and resist for your life. I answered, that were not a mean to preserve my life. And besides, it is an affirmative duty, not obliging *ad semper*, at all times. At which one of them wondered how that could be. I confess, I wondered at that bishop's ignorance. The same man asked, if I thought it were lawful for a man voluntarily to bind himself to slavery, whether that was consistent with the law of nature? I answered, I thought no, where he can have his liberty. Then, said he, how do you read of the Hebrew servant his voluntarily giving his ear to be bored to his master's door. I answered, that was his contentment to be a servant for ever, not his slave, for he could not be sold as such.

"Many other things past that have escaped my memory; but I remember, they spoke of hearing my arguments another time. Then fell again exhorting, that I would seriously ponder, whether these things be of such weight, as to lose my life for them. I answered, I reckoned I was a prisoner for conscience, and I was also a prisoner to conscience, bound by the bonds of its authority, to own what I understood to be truth; and if they could loose me from these bonds, I was content to retract and be better informed.

"Then they began to make proposals to me, that I might save my

life, if I would but engage to live peaceably under the government of church and state. I told them, I was not charged with any unpeaceable practice; yea, but said they, your principles are inconsistent with the peace of the government. I told them, I did not think so, but that they were very consonant with the gospel of peace; but for engaging to live peaceably, I could do it very well in the general, for I am a lover of peace; but I thought it would argue I had been guilty of the breach of it formerly, and suspected they and I would not agree in the explaining of that peace; for I believed, whatever it were, it should be such a living peaceably as would contradict my way of living, and that for which I am a prisoner. They said, by living peaceably, they meant that I would not rise against the king, and submit to the government of church and state. I answered, as for the government of the state in many things, I profess myself a malcontent. Then they made three offers, whereby I might have my life, viz. If I would go and hear the regular incumbent in any parish I pleased to reside in; or next, if I would not do that, if I would engage to forbear preaching; or at least, in the last place, I would engage and give it under my hand never to preach that doctrine, I had maintained even now before them. I refused them all, and to the last I told them I was a prisoner for truth, and though I should die for it, I had rather remain so, and suffer the worst of it, before I kept any truth a prisoner. Then they threatened death, and that within a very short time. Nay, one of them proceeded to threaten damnation for owning such principles, and so went away.

“One passage I had forgot, that for a considerable time before I was dismissed, Sir William Paterson, and the clerk of the Justiciary, came in and heard our debates, and before the close, Sir William challenged me for a passage in my letter, where I reported, he confessed, that in some case the king might be resisted. I then affirmed before him it was true, and attested the other clerk, who answered, he did not remember any such thing; then I repeated before them the case that he confessed. If the king were distracted, or came furiously to kill me without a cause, I might defend myself: O! but, said one of the prelates, you indulge yourself in your fanciful suppositions of things that rarely fall out, and are so improbable, that they are next to impossibilities. I answered, it was not impossible but a king might be distracted as well as another man, and that such as had their wits might do, and cause to be done, distracted acts. And, for instance, I told them one story, which I had proper knowledge of, viz. of the young king of Bantam, who, when he got the govern-

ment in his hands, by his father's resignation, he killed with his own hands many of his subjects, and caused them to be murdered without any cause, which was the reason of his subjects' present revolt, which yet the late King of England justified, by his sending for their relief, ammunition, &c.

"I shall here abruptly close this confused relation of that weary conference. I was so weary in the time of it, that I could not stand, and [am] so weary in writing it, that I cannot sit, longer. I was from thence carried back to prison, to the gentlemen's chamber. But before I was taken thither, the prelates departing in a huff, left me alone in the room a pretty space, and forgot to give orders concerning me to the soldiers, who were waiting in the outer-room. After I had stayed so long alone, that I wondered what was intended to be done with me, I came forth of the room, and the soldiers in all civility, and (as I thought), seriously asked me if I was free; for they had no orders about me. I answered, I knew nothing of it, and so I continued talking with the soldiers, until a macer came running in great haste, and no little fray, with an order to take me to prison, which was done as above said."—*A True and Faithful Relation of the Sufferings of the Reverend and Learned Mr Alexander Shields, Minister of the Gospel, written with his own hand*, pp. 85–94. 4to. Sine Loco, 1715.*

* Things are often found in odd places. Who would have expected to have met with the doctrine of the supremacy of the people, in the writings of a Lord Chancellor of England, in the days of Henry VIII? Yet so it is. The epigram that follows, by SIR THOMAS MORE, proves, as well as some remarkable passages in his *Utopia*, that liberal principles in politics, which even yet have but imperfectly established themselves in the public mind of this country, were familiar to that truly great man, of whom Erasmus so beautifully says, "Cui pectus erat omni nive candidius, ingenium quale Anglia nec habuit unquam, nec habitura est, alioqui nequaquam infelicium ingeniorum parens."—*Erasmi Ecclesiastes*, Prefat. p. 9. Basil. 1544.

POPULUS CONSENTIENS REGNUM DAT ET AUFERT.

"Quicumque multis vir viris unus præest,
Hoc debet his quibus præest:
Præesse debet neutiquam diutius,
Hi quam volent quibus præest.
Quid impotentes principes superbiunt?
Quod imperant præcarlo?"

Thomæ Mori Lucubrations, pp. 215, 216. Basil. 1563.

TWO ADDRESSES,
ON
THE VOLUNTARY CHURCH QUESTION:
WITH NOTES AND ILLUSTRATIONS.

“ Non est opus vi, quia religio cogi non potest :—nec potest veritas cum vi conjungi.—Nihil est tam voluntarium quam religio, in qua si animus aversus est, jam sublata, jam nulla est.”

Lactantii Div. Inst. Lib. v. c. xix.

ADVERTISEMENT.

THE following Addresses are introduced into this Volume, from the affinity of their subjects to the topics discussed or referred to in the foregoing pages, and in the hope that they may be of some use in communicating information, correcting misconception, and counteracting misrepresentation, respecting the designs and doings of Voluntary Churchmen—by briefly stating the principles they maintain, the objects they are prosecuting, and the means they are employing to assert these principles and gain these objects.

ADDRESS I.

ON THE NATURE AND DESIGN OF VOLUNTARY CHURCH ASSOCIATIONS.*

AMONG the salutary results which may be reasonably anticipated from the transactions of this evening, the removal from the public mind, of all uncertainty and misapprehension respecting the true character and object of the Voluntary Church Association is, in my opinion, one of the most important. It is strange that such uncertainty or misapprehension should exist, after the very unequivocal statement which has been made of the principles on which the institution is founded,—the end which it is designed to accomplish,—and the means by which it seeks to attain that end.

But however strange it may be, it is undeniably true, that misrepresentation of the character and object of the institution does prevail to a great extent; and charity, which “hopeth all things, and believeth all things,” requires us to conclude, that in many

* This Address was delivered at the first public meeting of the Edinburgh Voluntary Church Association, held in Broughton Place Church, on January 29, 1833.

cases, in every case indeed, where evidence does not compel us to draw another inference, this misrepresentation must have originated in misapprehension. Surely nothing but mistake could lead good and honourable men to represent this Society as political in its character, and revolutionary in its object; and to treat its supporters as if they were guilty of some great crime against social order, which renders them unworthy of being associated with their brethren, in advancing the interests of Christianity, or promoting the happiness of mankind. Surely those who think and act in this manner cannot be aware, that we are only maintaining and avowing principles which have been maintained and avowed by some of the wisest and best of men—by Milton, and Locke, and Owen, and Hall—and that, like them, we are merely seeking the exposure of what we believe to be error, and the correction of what we believe to be abuse, by the public statement of what we believe to be truth.—“This is the head and front of our offending—no more.”

The design of our Association has been so clearly stated in the resolution, which the meeting has already adopted, and in that which has been so ably moved, by my old fellow-collegian, and our public-spirited townsman,* and which I now, with the cordial approbation of my own mind, recommend to their favourable reception, that all who either hear or read these resolutions, must be wilfully deceived if they continue any longer in error on this subject.

* Adam Black, Esq.

They cannot be ignorant either of what *are not*, or of what *are*, the objects of the Society.

It has all along been a mistake, and, if now persisted in, it will become a calumny, to assert, that the object of our Association is seditious and revolutionary; and that its members are disaffected to the civil government under which we live, and indisposed to render to it those duties which the Christian law requires. We fearlessly assert, and we appeal to the whole tenor of our conduct for the proof, that his Majesty has not more loyal subjects, nor the civil constitution of our country more cordial and consistent supporters, than the members of the Voluntary Church Association.

By far the greater part of them are men who enter with comparatively little ardour into any mere political question; and who assuredly contemplate civil establishments of religion less, in their reference to the interests of worldly kingdoms, than in their reference to the interests of that kingdom which is “not of this world;” who are less affected with their bearing on the events of time, than by their relation to the destinies of eternity. They are men who, because they “fear God, honour the king;” who cheerfully yield obedience to their civil rulers, “not only for wrath, but for conscience’ sake;” who have no sympathy with those restless men, who appear to consider the fact of an institution having been long established, as a sufficient reason for attempting its destruction; and, were it possible, still less with those factious men, who seem to think every thing short of overt

rebellion lawful, in endeavouring to re-establish abuses, which the constituted authorities of the country, in perfect accordance with the judgment and wishes of the people, have abolished.

These remarks will not be considered as uncalled for, by any one who has read the dark insinuations, and the calumnious charges, which, for some months past, in many of our public journals, as well as in separate publications, have been directed against the members of the Voluntary Church Association. In our opinion, the ecclesiastical establishments of the country have no necessary connexion with its civil constitution (even Warburton contends for alliance, not for mutual incorporation), and their ceasing to exist *as establishments*, would have no other effect on the state, than to relieve it from an oppressive burden and a disturbing force, and thus to enable it to perform its appropriate functions with greater ease, and regularity, and efficiency.

We have always, since capable of thinking, been of opinion, with a profound, as well as eloquent writer, that “among the evils attending the alliance of church and state, it is not the least that it begets a notion of their interests having some kind of inseparable and mysterious connexion, so that they who are dissatisfied with the one, must be the enemies of the other.”* This delusion is passing away. There was a time when the West Indian slaveholder proclaimed that every enemy to slavery and the slave-trade, was of course a democrat and anarchist; and,

* Hall.

to a certain extent, he was believed. But now that the government itself has, in good earnest, become the enemies of slavery and the slave-trade, the calumny, having no chance of being credited, has ceased to be circulated. And we look forward to a period, it may not be a distant one, when the equally well founded charges of a similar kind, against the friends of Voluntary churches, will, for a similar reason, be disposed of in a similar way.

It has also all along been a mistake, and, if now persisted in, will become a calumny, to assert, that the design of our Society is to destroy, or in any way to interfere with any existing church or religious denomination, in their ecclesiastical capacity. It has often been strongly asserted, that our object—our avowed object, is the destruction of the two great ecclesiastical bodies, usually termed, The United Church of England and Ireland, and the Church of Scotland.

No representation could well be less consistent with truth. It is certainly our object to effect, by legal means, a disconnexion of these ecclesiastical bodies from the state, or, in other words, their deliverance from the degrading control of the civil authority, in the management of their own religious affairs. But we do not think so meanly of these two great bodies, venerable as they certainly are, not so much for their antiquity, as from the learning and worth which they have contained,—aye, and do contain,—as to identify such a change with their destruction.

Without giving any opinion as to how far either

of these associations is a well constituted Christian church, I have no hesitation in avowing my conviction, that both of them have a strong hold of the minds and hearts of a large portion of the people, in the two divisions of our island, in which they are respectively established. What the precise extent of this attachment may be, it would be difficult accurately to ascertain. Coming events will probably throw light on this subject. I believe it to be much less, than their devoted admirers declare it to be, and much more, than their extreme terror, for a withdrawal of compulsory support, would seem to intimate that they believe it to be. It is my firm persuasion, that both the Church of England and the Church of Scotland, were the change, which we think most desirable, effected, would continue large ecclesiastical bodies, and incomparably more active and useful than they have ever hitherto been.

We do not interfere—we have no wish to interfere—with their creed, their worship, their government, or their discipline; and, surely a church that continues in the full possession and peaceful enjoyment of all these, is not destroyed.* We merely wish those churches relieved from what is a burden to others, and an injury to themselves. We can honestly say, we love them, as we love ourselves. “We would God that they were not only almost, but altogether such as we are, *except these bonds.*”†

The civil establishment which these churches enjoy (*suffer* is, I believe, the more appropriate word),

* Vide Note I.

† Acts xxvi. 29.

never was a source of real advantage to them. In the progress of society, it has become a source of obvious evil and of extreme danger. That shapeless mass which, under the name of a buttress, has been erected against the walls of these churches, has already moved the edifices, massive as they are, off the level, and if not speedily taken down, threatens to bury the inhabitants in the mingled ruins of buttress and building. Is he an enemy who, standing at some distance, and thus having superior advantages for ascertaining the true state of matters, warns the tenants of these ancient fabrics, of their danger, and even offers his assistance in having the misnamed buttress removed, before it has effected their destruction? If the friendly hint is taken in the spirit in which it is given, the building may yet right itself, the inclined walls may yet become perpendicular, and the edifice stand as erect and more secure than ever. If it is neglected or resented, the tenants must take the consequences. Their blood will be on their own head.

There is yet another misapprehension respecting the design of our Association, which the transactions of this evening, and especially the resolution which I am supporting, is well calculated to remove. It has all along been a mistake, and if now persisted in, will become a calumny, to assert, that our object is spoliation,—that our design is to rob the established churches of their property, that we may enrich ourselves. We are not, Sir, either in deed or desire, “robbers of churches,” though we may be held “blasphemers of the Goddess,” whom the idolaters of civil

establishments worship. This charge is indeed absolutely ridiculous.

Were we directing our attacks against the numerous and flagrant abuses of the established churches, while we maintained that it was the right and duty of the magistrate to establish the true religion: were we asserting, that they ought to be stripped of the privileges which they have abused, and that we should be invested with them: were we thus taking the ground occupied by the Reformed Presbyterians, the fathers of the Secession, and some of the minor Seceding bodies in our own day, in their controversy with the Established church,—something like plausibility might attach to the charge brought against us. But we condemn, in the most unqualified manner, *the principle*, of the civil establishment of religion, as unjust, impolitic, unscriptural, and mischievous. We declare, not only against the compulsory support of this or that religious denomination; we declare against the compulsory support of *any*, of *every*, religious denomination. We do not like to be the unwilling supporters of this unjust system, but we should still less like to be supported by it. If we must be one or other, we would far rather be its *victims* than its *nurslings*.

Our firm conviction is, “that the principal evils in established churches are not accidental, but the necessary and unavoidable result of the compulsory support of religious institutions, and the alliance between church and state.” We are fully persuaded, to borrow the words of the great author already

referred to,—“ that if any Christian society were converted into an Established church, it is no longer a voluntary assembly for the worship of God: it is a powerful corporation, full of such sentiments and passions as usually distinguish these bodies,—a dread of innovation, an attachment to abuses, a propensity to tyranny and oppression.”* We have no wish that our Voluntary churches, with all their imperfections, should undergo such a metamorphosis. It would appear to us too severe a punishment, for any misdeeds they may have committed, and we should deprecate, as one of the worst evils that could befall them—their being cursed and blasted by a state alliance.

Happily this is an evil which we are in no great danger of incurring. The remark of Dr Owen is fully as applicable to our times as to his own: “ If the present establishment of superfluous revenues to the clergy were removed, I do not think the world itself would, in haste, run into the same state again.”

While it is obvious that we do not, that we cannot, indulge any hope of enriching our own religious denominations, by the spoils of the secularly endowed churches—while we have, and can have no other interest in the dissolution of civil establishments (which, as we have seen, is a very different thing from the destruction of the churches which are established), than every citizen has in closing up one of the sources of useless and injurious expenditure of public money—it does by no means follow, that we survey uncon-

* Hall.

cerned, far less regard with a malignant eye—as some of our opponents with equal charity and modesty, not only surmise, but assert—the suppression of flagrant abuses, or the growth of vital Christianity within the pale of the established churches. We regard such events with deep interest; we hail them with cordial satisfaction. We hear with delight that the number of faithful ministers is increasing, in both the established churches—and, though we more ardently wish, than sanguinely hope, for the abolition of lay patronage, pluralities, and other abuses, while the alliance between church and state continues, we rejoice in every thing that looks like improvement, even when the circumstances in which it takes place, may induce a suspicion, that a sense of necessity, fully as much as a conviction of duty, may have produced it.

We are as fully persuaded, as we well can be, with respect to any future event, that a dissolution of the connexion between church and state must take place at no very distant period: and we congratulate the two ecclesiastical bodies, at present encumbered with secular patronage and support, on every change which is calculated to prepare them for acting usefully their part, when raised to a level with their sister denominations, and required like them, in order to obtain public support, to deserve it by public service. The greater the reform which takes place in these churches, previously to what they may think their disfranchisement, but which we know to be their emancipation, the easier will be the transition into their new and higher state; and the better fitted will they be for

exercising their new functions, and performing their new duties. At the same time, we cannot help thinking, that it is deep degradation, for a church to have to ask leave from secular authorities, to reform themselves; still deeper degradation, to have reformation obtruded on them by these authorities; and that there is much greater probability of a thorough change to the better, following, than preceding the liberation of these bodies, from the paralysing influence of a state connexion.

While the transactions of this evening are well calculated, to disabuse the public mind of the mistakes, produced by those false representations, which have been so sedulously made of the objects of the Voluntary Church Association, they appear to me equally fitted to communicate just conceptions, as to what the design of that institution really is, and what are the motives which urge its supporters to seek its attainment.

We unequivocally avow, what we are prepared satisfactorily to prove, that the civil establishment of religion, under the New Testament economy, is unjust, impolitic, unscriptural, and mischievous; and that therefore our object is to obtain, not a less objectionable form of the connexion between church and state, but the complete dissolution of that connexion—the putting an entire end to all interference on the part of the civil authorities, with regard to religion, in the way of sanctioning creeds, appointing ministers, and providing for their support. In other words; our object is to induce civil governments to let religion

alone, and to allow every man, and every body of men, while they conduct themselves as good citizens, to manage their own religious concerns, in the way they think to be most agreeable to the will of God, "with whom" alone, in such matters, "they have to do." This is the object—the sole object—of the Voluntary Church Association.*

In endeavouring to obtain this object, we are influenced by various motives, none of which we are either afraid or ashamed to avow: some of these having a direct reference to our own convictions and interests as individuals, and others having a reference to the great interests of our common country, and common Christianity. As occupying a high place among these motives, we have no wish to conceal, that our desire of the extinction of the civil establishments of Christianity, partly originates in our unwillingness to give a portion of our property, for a purpose which, in our conscience, we believe to be not only useless, but mischievous.

Let me not be misunderstood. I do not say that either of the churches established in this country, is either a useless or a mischievous institution. I believe both have done incalculable good, though I am persuaded they have done this good, not because they were established, but notwithstanding their being established: and I believe much more good would have been done had they not been established at all. But I do most distinctly assert, that the compulsory support of these churches, by a tax levied from multitudes

* Vide Note II.

who conscientiously disapprove of some of the principles of these churches, and from multitudes more, who disapprove of the principle on which they are supported,—is at once useless and mischievous : **USELESS**—because surely the members of these churches, including the greater part of the wealth of the country, are able, and ought not to be unwilling, to support them : **MISCHIEVOUS**—in as much as it destroys the natural connexion established between the measure of labour and reward—of work and wages ; supersedes entirely the operation of the only authentic financial law of the church of Christ, and prevents all the advantages flowing from its unobstructed operation ; excites jealousies and contention among the citizens of the same commonwealth, and tends to engender dissatisfaction with a government which, however unintentionally, tampers with the rights of property and of conscience.

It has indeed been frequently of late, distinctly stated, that there is no such thing as a compulsory support of religious institutions, in this our land ; and the amazing assertion has been hazarded, that, with some trifling exceptions, not worth mentioning in so great a question, the established churches do not cost dissenters—do not cost the country—a farthing.*

In reference to the first of these assertions, nothing is so wonderful as the temerity of him who made it, if it be not his simplicity in supposing it possible that it could be credited, at a time when every newspaper

* Vide Note III.

brings accounts of sales in a neighbouring country, under the protection of the military, of corn and cattle distrained for tithes refused to be paid; and in a city where it is no very uncommon sight to witness the sale of household furniture, pointed in consequence of the refusal to pay ministers' stipend.

The second assertion may require, if it do not deserve, a little more attention. It is the opinion of some of the best informed political economists, that tithes and teinds are in reality, a tax on produce, which, like every other tax of the same kind, is paid by the consumer, so that every consumer of agricultural produce, pays his share of all the expense of our ecclesiastical establishments.*

But whatever there may be in this, there is another view of the subject, which makes it evident that these establishments are supported by public property, and that of course, every one of that public, to whom that property belongs, pays his share of the expenses; and were this portion of public property otherwise employed, would be relieved, to a certain extent, from the burdens under which he labours.—Whatever may be considered as the nature of the tenure by which the Roman Catholic church held her property, there can be no doubt, that that property, whether justly or not, was confiscated by the public authorities, at the time of the Reformation, and thus

* "Tithes are a burden which falls equally on every individual in the kingdom, on the poorest beggar as well as the richest lord, in proportion to their respective consumption of the articles from which a tithe is levied."—M'Culloch—*Encyc. Edin. Art. Taxation.*

became public property. A part of that public property was given, in many instances, I believe, unwisely, and iniquitously given to private individuals—but it was *given*, irrevocably given. Another portion of it was assigned as a fund for paying salaries to certain politico-ecclesiastical functionaries, for the performance of certain services. This portion certainly did not cease to become public property, any more than the funds appropriated at different times, for the payment of the army or the navy—and if this country, in the course of those changes which time brings round, should find that the services of the army, or the navy, or the clergy, may be dispensed with, it is obvious, that the competent authorities, *i. e.* the legislature, have a right to give a new direction to these funds, to withdraw these salaries, with an equitable regard to the claims of the present incumbents, and apply them to lessening the burdens which press on the community, or to any other important public purpose. It was a silencing remark lately made to a zealot for establishments, boasting that what is styled church property, was as good property as any landed estate,—“I should like to see the progress of writs.”

In this way, it must be apparent to all, except to those who will not see, that even in this point of view, we have personal interests in the affair of civil establishments of religion, which should protect us from the charge of being “busy bodies,” “intermeddlers in other men’s matters,” in endeavouring to obtain an arrangement respecting this large portion of

public property, such as strict justice, as well as good policy, demands.*

It is thus perfectly obvious, that every dissenter is paying for the support of an order of public religious instructors, from whom he cannot conscientiously receive "spiritual things," in return for his "carnal things:" and the irksomeness of the tax is more than doubled, when, in paying it, he feels that he is reluctantly compelled to support an institution, in his estimation, inconsistent with the laws of Christ, and most injurious to the great interests of his kingdom. This is our principal motive, if we do not deceive ourselves, in seeking to be emancipated from what we feel the degrading bondage of supporting a system which, on many accounts, we conscientiously condemn.

In expressing our settled convictions on this subject, I employ the words of our fundamental principles, slightly modified, merely because I find it impossible to express these convictions in fewer or plainer words—words so plain, that I have been in no ordinary degree surprised, to hear the short statement which they compose, characterized as being enigmatical, and its authors, like the crafty king of Ithaca, accused of "scattering ambiguous expressions among the vulgar." We are persuaded "that a compulsory support of religious institutions, is inconsistent with the nature of religion, the spirit of the gospel, the express appointment of Jesus Christ, and the civil rights of men: that in every case, it is an unwarrantable attack on the right of property," be-

* Vide Note IV.

ing an exaction for a purpose which comes not within the limits of civil authority, and in every case "where the individual disapproves of the system supported, or the principle of its support," it is "a direct invasion of the rights of conscience," being an exaction for the support of what he accounts sinful: "that it keeps in a state of unnatural separation, those who should be united, and in a state of unnatural union, those who should be separated: that its tendency, as exhibited in its effects, is to secularize religion, promote hypocrisy, perpetuate error, produce infidelity, destroy the unity and purity of the church, and disturb the peace and order of civil society: that by its direct and indirect influence, it is among the principal causes of the low state of Christianity, in those countries where it is professed, and of the slowness of its progress throughout the world: and that while thus unreasonable, impolitic, unjust, and mischievous, it has not even the plea of necessity—Christianity having within itself, in the native influence of its doctrines, on those who believe them, every thing which is required for its efficient support, and indefinite extension."

With these convictions, with regard to the nature and tendency, and consequences of the civil establishment of religion, can we be reasonably blamed for wishing its extinction? With these convictions, could we be justified, were we not to employ all the means competent to us, for having it extinguished? If we are wrong in our views on this subject, we are very willing to be put right. Let it be but satisfactorily

proved to us, that ecclesiastical establishments are not in their nature, and tendencies, and consequences, what we believe them to be, and we will cease to oppose them. But till then, we will, we must use every means which reason, religion, and law warrant, in order to gain our end.

And we will use no other means. We do not dream of proclaiming a crusade against establishments. We will neither attempt to sap them by plots, nor overturn them by violence. Our warfare shall be the legitimate warfare of argument; and it shall be, as it has been hitherto—notwithstanding every temptation, from the unworthy arts of some of the “baser sort” of our opponents—conducted on the principles of honourable literary combat. We shall make no dishonest use of men’s prejudices, and aim no thrust at private reputation. We shall endeavour to make truth and duty on this subject, manifest to the reason and conscience of men, and in this way, to persuade them, what we ourselves are persuaded of, that the civil establishment of religion is a great evil. And such is our confidence in truth, and the God of truth, that we cannot doubt but we shall ultimately prevail. When we do prevail, the removal of the evil we complain of, cannot be distant. Public opinion has long been very powerful in this country; but now that it has an appropriate organ, not only in a free press, but in a reformed House of Commons, it will be found to be irresistible.

I understand that some of our opponents have all but challenged us, to try our cause on another field,

and by other weapons. At the hazard of being counted cowards, we must decline the challenge, and declare that we have no idea of deciding a question of truth and right, in any other way, than by fair argument. If they are for any other kind of fighting, for us, they must fight alone. They have declared their determination to shed the last drop of their blood in defence of their church. Their church, as a church, has never been attacked by us. We war only with its compulsory support. And even if they are disposed to shed their blood, for the privilege of compelling others to support the ordinances of religion for them, they will wait a long time before they shed the *first* drop of their blood, if they wait till we shed it. We will never attack even this "abomination of desolation, which standeth where it ought not," but by argument, addressed to the people, and petitions addressed to the legislature, and prayers addressed to God.

It is, indeed, our belief, that Christ's church has never been much the better of any blood shed in its defence, but the blood of the martyrs. "The irresistible might of weakness"* has done more for her, than the "might and mastery of any establishment," with all the pomp of civil authority, and all the terrors of military force. To these Knights Templar we beg leave to hint, that He whom we own as our common Master, once gave an advice to a very zealous disciple, but somewhat more forward than wise, with which it would have been good for the church and

* Milton.

the world, if his followers had more implicitly complied:—"Put up thy sword into the sheath; they who draw the sword, shall perish by the sword."

It may seem strange, Sir, after having made these strong statements of disapprobation of the civil establishment of religion in all its forms, I should now profess myself a decided friend to an established religion, and an established church—to *the* established religion, and *the* established church, in the only proper, though it may not be quite in the common and conventional, sense of these words. But strange as it may seem, it is true; and I know I carry you, and all around me, along with me in the profession I have now made.

The only way in which religion, that is, a system of religious doctrines and laws, can be established, in a consistency with its nature, is by satisfactory evidence of their divine truth, and divine authority. There has been such an establishment of religion made. The code of doctrine and law contained in the Holy Scriptures has been thus established. This religion was "spoken to us by the Lord, and confirmed by them who heard him; while God also bare witness by diverse signs and wonders, and diverse miracles, and gifts of the Holy Ghost, according to his own will." This is the established religion, and this is the establishment of it.

And as to the established church—What is the church? It is very well described in the nineteenth article of the church of England, as "a congregation of faithful," *i. e.* believing "men, to which the pure

word of God is preached, and the sacraments be duly administered.”* Now, how is such a church established? When, by the effectual influence of the Holy Spirit, a man is brought to understand and believe the doctrines, to understand and submit to the laws of Jesus Christ, the true religion is established in that man; he becomes a faithful or believing man: and when a number of these faithful men, from a regard to the authority of Jesus Christ, associate themselves together, according to the due order, that among them “the pure word of God may be preached, and the sacraments be duly administered;” there is a church established. This is the true established

* The following somewhat more extended account of “the Church,” by an Episcopalian divine (who, though so blind to the true character of the politico-ecclesiastical body, with which he is connected, as to style it “our most unsectarian church,”—an unhesitating utterance of a mere hallucination which irresistibly provokes a good humoured smile,—manifests a clearness and width of view, and a catholicity of spirit, curiously contrasting with his idolatry of what certainly is *the most sectarian* of all Protestant ecclesiastical bodies), will serve our purpose still better than the very brief, though just, description quoted above from the Thirty-Nine Articles,—the civilly sanctioned, and enacted symbol of the only faith which, according to the British Parliament, *ought* to be held or professed within the realm of England:—

“The Church is emphatically a voluntary society, attracting, not compelling men into its fellowship, and binding together those who have entered thereunto, not by the chains of a penal enactment, but by the cords of a man, which are the bands of love. Community of thought and feeling is the end to be constantly kept in view,—and communication of truth by every rational and moral means, by preaching, writing, speaking; by example, education, social influence,—this is the method by which that end must be pursued. Not legal enactment, not priestly domination, not Procrustean efforts for enforced similarity, can ever create a spiritual brotherhood, but the presence, of one common purpose, in each and in all, animated by one common feeling, and pressing towards one common end.”—*Griffith's Christian Church*, pp. 16, 19, 20.

church, and this is the establishment of it. The whole of such societies, thus constituted, form the church militant—universal. This, then, is the established religion; and this is the established church, founded, not on acts of a human legislature, but on “the apostles and prophets, Jesus Christ himself being the chief corner-stone.”*

Of this established religion,—of this established church, we are the devoted admirers. We believe in this true religion,—“we believe in this holy catholic church.” “HER foundations are in the holy mountains. The Highest himself shall establish HER. God is in the midst of her; she cannot be moved. We pray for the peace of Jerusalem; they shall prosper that love her. Peace be within her walls, and prosperity be within her palaces. For our brethren and companions’ sake, we will say, Peace be within her; for the house of the Lord our God, we will seek her good. The gates of hell shall not prevail against her. Walk about Zion, and go round about her, tell the towers thereof; mark ye well her bulwarks, and consider her palaces, that ye may tell it to the generation following. For this God is our God, for ever: He will be our guide, even unto death.”†

But, it is just because we are such fervent admirers of this religion, and this church, and this establishment, that we have lost all admiration for any other established religion—for any other established church. Of course, it cannot be expected, that we

* Eph. ii. 20.

† Psal. lxxxvii. 1-4; xlvi. 5; cxxii. 6-9; xlviii. 12-14.

are to give reasons for not liking the establishment of a false religion, or the establishment of a spurious church. Our opponents do not go so far as to ask this of us; though, were we adopting their principles, we should find it difficult to show good cause, when the magistrate is a pagan, a mohammedan, or a heretic, why we should not approve of the establishment of a false religion, and a spurious church—of the koran and the mosque—of the shaster and the pagoda,—as well as of the Bible and the Church.

But our admiration of the divine establishment of the true religion, and the true church, is such, as to give us a strong disrelish of all human establishments—even of *them*. To establish *them*, really seems, to us, *actum agere*, with a witness,—to do what is done already. Who would think of giving greater beauty to the rose, or brightness to the sunbeam, or depth to the fathomless ocean, or stability to the everlasting hills? It is shrewdly remarked, by an old writer on this subject, “One would think, when God himself had taken in hand to establish the true religion, and had done what he in his wisdom thought proper for that purpose, what he had done should be sufficient, so far as any thing could be, to the end he proposed: without which, one can hardly think, that he would have done it at all.”*

To establish the true religion by human means, seems to us impracticable, if it were desirable; and useless, if it were practicable. Can all the power and authority on earth, give additional evidence to divine

* Mole's Case of Dissent. Vide Note V.

truth, or additional authority to divine law? "Religion," it has been finely observed, "if it has any power, operates on the conscience of men. Resting solely on the belief of invisible realities, and having for its object, the good or evil of eternity, it can derive no additional weight or solemnity from human sanctions; but will appear to most advantage upon hallowed ground, remote from the noise and tumult of a worldly policy. Human laws may debase Christianity, but they cannot improve it; and being able to add nothing to its evidence, they can add nothing to its force."* There is indeed something ineffably absurd, in the attempt to make Christianity, as it is barbarously phrased, "part and parcel" of the law of any land. It is to hold up a taper in the effulgence of noon-day. It is the petty municipal head of some decayed borough reduced to a hamlet, attempting to give new authority to an act of the British legislature, sanctioned by king, lords, and commons—by declaring it the law of his dominions; or rather, for it far transcends such folly, it is the same self-important personage issuing a proclamation, that the sun shall have liberty to rise in the east, and set in the west, within the limits of his jurisdiction.

To attempt to establish the true church, seems to us equally preposterous. Can human—can created power form the materials of which the true church is composed? "Is the residue of the Spirit" with any civil government on earth, that by his plastic influence they may make men "new creatures?" No;

* Hall.

they are "His workmanship, created anew unto good works." "He sendeth forth his Spirit, and they are created." And even after they are formed, can human authority constitute them Christian churches? No; under the same influence that has quickened them, must they submit themselves to divine authority; and in obedience to the command of the only King, "whom God has set on his holy hill of Zion," join themselves together in a holy fellowship. He who is the Author of the natural world, is the Author of the spiritual world. It is "a new creation:" and in it, "all things are of God." He who formed the materials of the universe, can alone create those "living-stones," which are the materials of the Christian church; and He, who out of the materials, called into existence by his "word of power," formed that admirable system, which is all beauty to the sense, all order to the mind; He alone can build up these "living-stones" in comely symmetry, into a "spiritual temple," in which a holy priesthood "offer up spiritual sacrifices, acceptable to God by Jesus Christ."*

But, it may be said, that the design of what is commonly called the civil establishment of religion, is not to make Christians, nor even to form Christian churches, but it is to protect and support Christian churches, when formed, according to the divine model, by him who alone can form them. But the Christian church wants no *peculiar protection* from the civil magistrate.† Her members are entitled to

* 1 Peter ii. 5, 9.

† "Some gentlemen talk of raising barriers about the Church of

the common privileges of citizens, and they need no more. Surely, their being Christians, is not to place them beyond the pale of the law, either in the way of excluding them from its protection, when they act as good citizens, or of shielding them from its penalties, if they should act as bad ones. And as to *support*, Jesus Christ has abundantly provided for the support of his church, when, by that word which made and sustains the universe, he *ordained*, “that they who preach the gospel, should live by, or on the gospel;” and by his apostle he has explained that law, so that its meaning cannot be misunderstood, however it may be overlooked and opposed: “Let him who is taught in the word, communicate to him that teacheth, in all good things.”* Wherever the religion of Christ is established in the heart, the obligation of this law will be felt; and wherever a church is composed of persons, in whose heart this law is written, it will be

God, and protecting his honour!—language that is astonishing, that is shocking, that almost approaches to blasphemy. What! man—a poor vile contemptible reptile, talk of raising barriers about the church of God! He might as well talk of protecting Omnipotence, and raising barriers around his throne. Barriers about the church of God, Sir! about that church, which, if there be any veracity in Scripture, shall continue for ever, and against which the gates of hell shall not prevail! If I may be allowed on so serious an occasion to recollect a fable, it puts me in mind of one which I met with, about a stately, magnificent, impregnable castle, built upon a rock, the basis of which was the centre of the earth, the top of it pierced the clouds, and the thickness of the walls could not be measured by cubits. At the bottom of it a few moles were one day very busy in raising a little quantity of earth, when some mice said, ‘What are you doing, said they, ‘to disturb the tranquillity of the lord of this earth?’ ‘We are not disturbing his tranquillity,’ said the moles; ‘all blind as you are, you may see that we are only throwing up a rampart to protect his castle.’”—*Sir George Saville in the House of Commons in 1772.*

* Gal. vi. 6.

obeyed. It has always appeared to us, one of the worst features of the compulsory system, that it makes void this ordinance of our Lord—an ordinance, not less plainly instituted by him, than the holy Supper. If we condemn Popery, for robbing the members of the church of one half of the last of these ordinances—what shall we say of civil establishment, which deprives them of the whole of the first?

But we object to the human establishment even of the true church, on the ground, not merely that it is useless, but that it is mischievous. This remark opens a wide field, but having already occupied so much of your time, I must not enter on it. I shall content myself with quoting, what “one of themselves, even a prophet of their own,” Bishop Hoadly, says on the subject. “Many glorious things have I read and heard on all sides, about the *flourishing state of the church of Christ before Constantine*; and many melancholy and terrible accounts of its condition, from and after that time, till by degrees it became, in the corrupt estate of the *church of Rome, the sink of hypocrites, and the sanctuary of atheists.*”*

Bear with me a moment, when, before sitting down, I advert to a charge, which has often of late been made against this institution and its operations, as if they were disturbing the peace of society, and sowing dissension among Christians. We throw back the accusation on those who have cast it on us. The civil establishment of religion is that “root of bitterness,” which has been so productive of the poison-

* Letter to Dr Snape. Vide Note VII.

ous fruits of civil broils, and religious animosities; and till “this plant, which our heavenly Father never planted, is rooted up,” neither undisturbed peace in the state, nor cordial union in the church, can be rationally anticipated. THEY are the friends of peace and union, not who cultivate this parasitical plant, but who endeavour, by peaceful means, to extirpate it, as the great cause of discord and division. What is it that keeps those members of the Church of Scotland, who are really attached to her doctrines, and worship, and government, and discipline, apart from their dissenting Presbyterian brethren, but the barrier of civil establishment? And what is it that keeps these dissenting Presbyterian bodies separate from each other, but controversies, which, but for civil establishment, never could have had an existence, and, which could not long survive the destruction of that which has occasioned them?*

One of the principal causes of my deep-rooted grudge at the compulsory system, is, that while it exists, it seems to place an insurmountable obstacle in the way of that visible union of all Christ's genuine followers, which is the subject of his intercessory prayer, and which is to be one principal mean of the conversion of the world. “But HIM the Father heareth always;” and whatever is incompatible with the fulfilment of his wishes, or the answer of his prayers, must be destroyed: for, “Jehovah will give him his heart's desire, and will not withhold from him the request of his lips.”† We would that “the mind

* Vide Note VIII.

† Psal. xxi. 2.

which was in him," were in us, and in all our brethren, whom we love not to call *opponents*, and will not think *enemies*; and it is our constant prayer,—surely they will not refuse to join with us in it,—that all Christians "may be one in him, even as the Father is in him, and he in the Father, that the world may know that the Father hath sent him."*

In our apprehension, the extinction of the compulsory system of supporting religious institutions, is necessary to the fulfilment of this petition, and to the establishment of that millennial state of purity and peace,

"Foretold by prophets, and by poets sung,
Whose fire was kindled at the prophet's lamp,"†

when the church, weaned from all dependance on man, shall rest entirely on the invisible arm of her omnipotent Protector; when she shall "no more again stay on him who has" so often "smitten her, but shall stay on the Lord her God—the Holy One of Israel;"‡ when strong as well as beautiful, in her dependance on her Divine Head, and in the union of her members, "fitly joined and well-compacted," she "shall look forth, as the morning," on a world destined then soon to become her inheritance—"fair as the moon, clear as the sun, and terrible as an army with banners."

* John xvii. 21.

† Cowper's Task.

‡ Isa. x. 20.

ADDRESS II.

THE VOLUNTARY SUPPORT OF CHRISTIANITY A DIVINE
ORDINANCE; OR, THE FINANCIAL LAW
OF THE CHRISTIAN CHURCH.*

THE question respecting Civil Establishments of Religion, though not in itself peculiarly difficult, is, without doubt, considerably complex; and those whose interest it is to mystify the subject, have dexterously availed themselves of its complexity, to give it a character of depth and difficulty which does not properly belong to it. It may be viewed as a question in the philosophy of the human mind, or in general politics—the science of government, or in political economy, or in morals, or in religion. I have endeavoured to look at it in all these phases, and the result of my examination may be given in a very few words.

When considered as a question of *the philosophy of mind*, the conclusion arrived at is, that a *civil establishment of religion* is an *absurdity* of the same

* This Address was delivered at the Annual Meeting of the Glasgow Voluntary Church Society, held in East Regent Street Church, March 3, 1835.

kind as, what the world has never yet seen out of a madhouse—a project to demolish fortresses by syllogisms ; or as, what the world has, alas ! seen but too much of, in the open arena of public life—the attempt to settle a question of truth and right by physical force. It is, as an absurdity, in the same category with war and duelling. Viewed as a question in *general politics*, the conclusion is, that a Civil Establishment of Religion is most *unwise* and *inexpedient*. Viewed as a question in *political economy*, the conclusion is, that a Civil Establishment of Religion is at once *useless* and *mischievous*. Viewed as a question in *morals*, the conclusion is, that a Civil Establishment of Religion is *unjust*. And viewed as a question in *religion*, the conclusion is, that a Civil Establishment of Religion is *impious*, both as interfering with the most sacred rights of God, and duties of man, and as directly opposed to distinct intimations of the Divine will, in a well-accredited Revelation.*

* Of the processes of thought which have led us to the above conclusions, the following sentences exhibit a specimen :—

Even in its most plausible form—TOLERATION, the exercise of civil power (the essence of which is force), in reference to religious belief and worship, is palpably an impious absurdity. The toleration and the proscription of particular forms of religious profession and worship, on the part of a civil government, though opposite modes of conduct, are not manifestations of antagonist principles. They are expressions of the same principle, they are assertions of the same right, they are assumptions of the same power. The right to grant includes the right to withhold, the power to tolerate supposes the power to proscribe.

And what is the right thus claimed, what is the power thus assumed, equally, in proscribing and in tolerating certain modes of faith and worship ? It is the right to interfere between man and his Maker ; it is the power not only to restrict man's noblest privilege, but

The religious view of the subject has always appeared to me the most interesting, as well as the most important view that can be taken of it. I like to

to limit God's highest prerogative. To tolerate the worship of God, only in certain forms, is not merely to prescribe to man what homage he is to present to God,—it is ('horresco referens') to prescribe to God what homage he is to accept from man. An act of uniformity is a law prohibiting God to be worshipped, except in a particular way; and an act of toleration is a law permitting him to be worshipped in a variety of ways; and since, as has been shrewdly remarked, 'in the complex idea of worship, the component parts, the object and the agent—the worshipped and the worshipper cannot be separated,' these laws are respectively an explicit prohibition or permission to men, and an implicit prohibition or permission to God. In absurdity and impiety, though not in injustice and cruelty, the two acts are equal. We are far from charging either the authors or upholders of civil establishments of religion, with consciously sanctioning the absurdity and impiety, which is thus necessarily and obviously implied, even in the most plausible form of civil interference with respect to religious opinion and profession—toleration, but till our argument is fairly met and refuted, we must insist that this is the character of the system, whatever may be that of its supporters.

In truth, neither of these impious absurdities—the legal proscription or the legal toleration of religion, could ever have been dreamed of, had the plain truth not been lost sight of, that the *religious* relations, rights, and obligations of all men are substantially the same,—that the greatest of monarchs, and the most abject of slaves, in reference to the Supreme Potentate—the Sovereign of Minds—the Lord of the Conscience, are entirely on a level,—and that the subject has just as good a right, on such a topic, to dictate to the sovereign, as the sovereign to the subject; for the plainest of all reasons, that no creature can, without an express grant from Heaven, have any right of the kind. By the statement of what he counts truth, and its evidence, the sovereign may seek to bring the subject, just as the subject may seek to bring the sovereign, to think along with him, and act along with him in religion,—but the exercise of civil authority, the principle of which is force either felt or feared, is obviously utterly out of the question. It cannot in the slightest degree communicate the qualities of truth or right to the dogmas or usages in support of which it is put forth,—nor supposing them possessed of these qualities, can it manifest them to the apprehension of "the man within the breast." It cannot convert falsehood into truth nor wrong into right. It cannot make clear what is obscure, nor certain what

look at it chiefly as a religious question, and not only as a religious question, but as a Christian question. I like to look at it as a Bible question, and not only as a Bible question, but as a New Testament question; for though I believe we have quite as much respect for the Old Testament as our opponents, yet I cannot help thinking that common sense dictates, that for the laws and ordinances of the Old Covenant we should go to the book of the Old Covenant—the Pentateuch: and that for the laws and ordinances of the New Covenant, we should go to the book of the New Covenant—the Evangelical Histories, and the Apostolical Epistles. I most cordially concur in the sentiment so well expressed by a much loved and revered brother and friend,* in his “Testimony of Scripture against the Civil Establishment of Christianity,”—a work bearing the deep impress of that soundness of mind, and piety of spirit, and suavity of manner, and “meekness of wisdom,” which so remarkably characterize its author. “It is the scriptural view of the question which will make the deepest impression upon godly persons, both in and out of the Establishment:—and from this a light will shine, sooner or later, which will bring their opinions and feelings, on the subject, into entire harmony.”

In the following remarks I intend not only to confine myself to the scriptural view of the question, but

is doubtful. It cannot make what is true more true, nor what is right more right. It cannot make a statement more perspicuous, nor an argument more conclusive. Till it can do such things as these, what has it to do with articles of faith or modes of worship?

* The Rev. John Jamieson of Scoon.

to one aspect of that view. My object is to show, that the principle for which we plead, for the progress of which we give God thanks, and to the promotion of which, we anew, as in his presence, solemnly pledge ourselves—has had the highest honour done it, that can be conferred on any principle, in being embodied in a Divine ordinance ; that, apart from this consideration, it has strong claims on our zealous support ; and that all the objections which have been brought against it, when they have been honestly stated, are founded on misconception.

It is impossible to read the New Testament carefully, without perceiving that it was the intention of Jesus Christ, not only to render his followers individually holy and happy, but, in subordination to this end, to form them into a holy, happy fellowship ; the bond of which should be the faith and love of the same truth, and the objects of which should be the united worship of their common God and Father, the united promotion of the honour and interests of their common Lord and Saviour, and their mutual improvement in the knowledge of Christian truth, the cultivation of Christian dispositions, the performance of Christian duty, and the enjoyment of Christian comfort. This society, founded on His institution, subject to His authority, regulated by His law, animated by His spirit, devoted to His honour, blessed by His presence, is the Christian Church. From the very nature of the case, this Church is in the highest sense of the term a Voluntary Society. No man can be compelled to be one of its members.

Every man in becoming a member, follows the conviction of his mind and the inclination of his heart, though it is obvious that in doing so, he performs, in the inmost sanctuary of his rational active nature, an act of humblest homage to Him who is the great Head of the society, and avows his determination, in all his behaviour in this "house of God," into which he has entered, to regulate himself, not according to the caprices of his own humour, nor according to the conclusions of his own reason, nor according to the commandments or customs of men, but according to the revealed will of Him whom God has "set as his King on his holy hill of Zion."

Christianity is favourably distinguished from Judaism, as a religion of general principle, rather than of particular minute statute; but although, in consequence of this, many of the minor arrangements of time, place, and circumstance, are left to be determined by individual societies, guided by the great comprehensive canons, "LET ALL THINGS BE DONE WITH CHARITY: LET ALL THINGS BE DONE TO EDIFYING: LET ALL THINGS BE DONE DECENTLY, AND IN ORDER;*" every thing essential to the permanent existence, the continued progress, and the ultimate triumph of the system—every thing necessary to the being and the well-being of the Church, is provided for by the express appointment of the "One Lawgiver." Among such essential points must be numbered, the means of sustaining and propagating the system. Such a religion as Christianity cannot be maintained and extended

* 1 Cor. xvi. 14; xiv. 26, 40.

without expense as well as labour ; and the question is obviously an important one in its bearings on the character and success of the whole scheme—from what sources, are those necessary revenues to be derived ?

The natural anticipation, that, in the Christian law, some distinct provision should be made on this head, is not disappointed. On no subject has our “ one Master in heaven” more clearly revealed his will. The germ of what may be termed the financial law of the Christian Church, is to be found in our Lord’s charges to his twelve apostles, and to his seventy disciples, when he sent them forth without money or change of apparel, “ Freely ye have received, freely give ; if they receive you, eat such things as are set before you. Eat and drink such things as they give. The labourer is worthy of his hire.”*

These declarations alone, taken in connexion with the nature of Christianity, would have been sufficient to show us, what is the will of Jesus Christ, as to the manner in which his religion is to be supported and propagated. But He who is infinite in wisdom and kindness, has been pleased to declare that will, in the form of express statute, and in terms so unlimited, as plainly not to refer to any particular age or combination of circumstances : “ The Lord hath ORDAINED,” says one of those princes, who sit on their twelve thrones, judging the twelve tribes of the spiritual Israel, “ The Lord hath ordained, that they who preach the gospel should live of the gospel.”† And

* Matth. x. 8 ; Luke x. 7.

† 1 Cor. ix. 14.

lest it should be said, that these words merely mean, that the subsistence of the preacher should, in some way or other, be the result of the discharge of his office, he adds, that he is to live of the gospel, in the same way as “he who planteth a vineyard, is to eat of the fruit of that vineyard;” and “he who feedeth a flock, is to eat of the milk of that flock.” And to convey the same important idea without a figure, in another part of the Christian law, it is written, “Let him who is taught, communicate, in all good things, to him that teacheth.”

“This is the law of the house,” and, like every thing about it, is “holy,” sacred, inviolable. The Christian Church is not, as some good men seem to think, an institution of the same kind as our Bible, and Missionary, and Tract, and Educational Societies. They are humanly devised means to obtain a divinely appointed end. It is a divinely appointed means to obtain a divinely appointed end; and we are equally bound to use this means, as to seek this end.

Had no law been given on this subject, it would not only have been warrantable, but it would have been obligatory, to have used our rational faculties, guided by the general principles of Christian truth, to devise the most probable method—the plan with fewest drawbacks and most recommendations, for gaining the undoubtedly divinely appointed end—the maintenance and extension of the faith and ordinances of Christ. In this case, it would have been perfectly fair, to have discussed the comparative advantages and disadvantages of various conceivable

methods for this purpose. Should Christian ministers be maintained in the same way as the Levitical priesthood? Should their maintenance be derived from a compulsory tax, raised from the whole body of a nation, without reference to their religious principles? or should they be supported by voluntary contributions from those who enjoy the advantage of their labours? Such questions might, in the supposed case, with propriety have been put; though, keeping steadily in view the character and design of Christianity, we apprehend there could have been very little difficulty in answering them, even in the absence of all explicit law on the subject.

But, now that the law has been given forth, all such inquiries are not only unnecessary, but they are impious. As Dr Chalmers happily says, "Let the principle of 'What thinkest thou?' be exploded, and that of 'What readest thou?' be substituted in its place." Had Jesus Christ merely stated that it was his will that his death should be commemorated in an appropriate emblematical institution, then it would have been proper to have endeavoured to discover what particular emblematical service would have best gained the end; but now that he has bid us "Eat bread, and drink wine" in remembrance of him, the Christian who neglects, thus to commemorate him, and the Christian who would seek to commemorate him, in any other way, would equally violate the law, and condemn the authority of the Lord.

It must be plain that the language of the passages

quoted, is the language, not of counsel, but of law; not of human, but of divine law; and not of an appointment, in reference to a temporary arrangement, but of a perpetual ordinance. We put it to our opponents, Had it been the design of Jesus Christ to give law on the subject, could he have used plainer words—could he have adopted stronger language?

This is a view of the subject which has always appeared to me conclusive; and I must take leave affectionately and earnestly to press it on the attention of the pious supporters of Civil Establishments of Christianity; and I very readily and gladly admit, that such supporters, though they form a minority, are by no means few. When distinctly perceived, by a mind which “trembles at God’s word,” it must lead to the immediate abandonment, of what must appear, a “making void the commandment of the Lord by man’s tradition” Among the enlightened defenders of Establishments, few will plead for them, except as an innocent and useful humanly devised means to gain a divinely appointed end; but if,—as we apprehend, is clear as a sun-beam,—the use of this means is utterly incompatible with, is directly subversive of, the use of a divinely ordained means, though it were in itself altogether unobjectionable, which is far from being the case, the employment of it becomes disobedience to the law—rebellion against the authority of God.

The ordinance of the Lord’s Day, or the first-day Sabbath, though established on evidence which commands my obedience, is by no means so explicitly

revealed, as the ordinance of the voluntary support of Christian institutions. The institution of the Lord's Supper is not embodied in plainer and more authoritative terms. Now, what Christian would not shrink with horror, from the proposal to purchase, from the secular authorities, such advantages as they can confer, by permitting them to abolish the Lord's Day, or to change it from the first to any other day of the week, or to consecrate the seventh part of every day, instead of one day in the week, to religious purposes, or to abolish the Lord's Supper, or to substitute some other emblematical rite in its place, or, in imitation of the Roman Catholic priesthood, who relieve the laity of the trouble of communicating in the cup, to appoint a particular privileged class to observe the complete rite in the room of the whole Church? What Christian mind, I say, does not shudder, at the very thought of such absurdities and impieties? But is one part of the divine law, more obligatory than another? and is it less obviously, the sin to which Simon Magus tempted the apostles, to purchase secular advantages, by bartering the ordinance of voluntary support, than it would have been to have bought them by bartering the ordinance of the Lord's Day, or the Lord's Supper?

When we take this view of the subject, it is easy to see how utterly untenable is the subterfuge, that is generally had recourse to on this subject—that Established Churches, at least the Established Church of this country, give the secular power no authority *in* religion, but only some authority *about* religion—

power not *in sacris* but only *circa sacra*. Is there any power in religion superior to that which institutes and annuls ordinances, which ordains and repeals law?

We do again most earnestly beseech our Christian brethren, to consider the position in which, by giving their support to Civil Establishments of Christianity, they place themselves. We know our appeal will excite only bitter contempt—exasperated irritation, in the minds of that numerous body, who, from secular principles, support these Establishments, as a secular institution, in a secular spirit, and for secular purposes; but we cannot but anticipate a different result from Christian men, dispassionately contemplating this subject in the pure light of revealed truth. We know, that they, equally with ourselves, wish to know and to do the will of our common Master. We love them, and therefore we must lift up the voice of friendly warning. We must tell them the cause is far less *our's*, than *our Lord's*. It is with HIM that they, as well as we, have to do. JEHOVAH-JESUS has “ordained it,” and “who shall disannul it?” During a long season, their minds have not been seriously turned to the subject. They sinned, but it was in ignorance; they erred, but it was through inconsideration. “The times of this ignorance God winked at;” but now he is, by the events of his providence, and a peculiarly clear exhibition of this part of his will, calling on all such misguided Christians “to repent,” *i. e.* to change their mind, aye, and to change their conduct too. He is now addressing

them in the language he long ago employed to one of his mistaken servants, to whom it is no discredit to them to be compared, “Gird up thy loins like a man. I will demand of thee, and declare thou unto me—Wilt *thou* disannul MY judgment? Wilt *thou* condemn ME, that *thou* mayst be righteous?”*

It thus appears, that the principle of our Association has had the highest honour conferred on it, that can be conferred on any principle. It has been embodied in a Divine institution. It has been made the substance of a Divine law. And what is the object of our union, but just by the legitimate influence of this principle on the public mind, to put an end to the making void the commandment of God, by man’s traditions, or at any rate to secure ourselves, from being any longer compelled, to supply the means of that, which appears to us so presumptuous and so perilous an invasion of the rights of the Most High? Is it not plain that this our principle comes from God, and that its prevalence ought to be ascribed to his agency? and ought we not to count it our honour and duty to be, in our humble sphere, co-operators with Him? Yes, we will “thank God and take courage.”

This, in my apprehension, is the stronghold of our cause; and we cannot be driven from it but by a proof, either that no such ordinance as that of the voluntary support of Christianity was ever instituted, or that it has been repealed by the same authority which appointed it. We challenge our opponents

* Job xl. 8.

to the proof. But though this is our citadel, we have other bulwarks. All Christ's ordinances are founded on the highest reason : none of his arrangements are merely arbitrary. It is enough to make it our duty to submit to them, that they are his will ; but in almost every case he makes it evident, that, apart from this highest consideration, what he requires of us is " a reasonable service." This is obviously the case, in reference to the divinely ordained method of supporting and extending Christianity. The arrangement has high claims on our admiration, from its *simplicity*, its *equity*, its *generosity*, and its *usefulness*, in all which qualities it is strikingly and favourably contrasted with the plans which human presumption has substituted in its place.

Nothing more remarkably characterises the works of God, than their divine *simplicity*. Had human or angelic wisdom been tasked, to form a plan, for keeping in perfect order, for an indefinite duration, such an immense and complicated machine, as our planetary system, what an endless variety of curious contrivances would have been proposed ? It would have taken many a volume to describe them. The Creator impresses on matter a tendency towards the centre, and by this simple law of gravitation, secures that these mighty masses shall be steady in their orbits, and regular in their revolutions. When Jesus Christ would erect to himself a monument more lasting than the pyramids of Egypt, he takes bread and wine, and says, " Do this in remembrance of me." And making provision for the support and extension

of a society which was to spread over all the earth, and endure till that earth and all that is in it is burnt up, He merely says, "The Lord hath ordained, that they who preach the gospel should live of the gospel—Let him that is taught in the word communicate to him that teacheth in all good things."* Will any dare to say the appointment has been a failure?—though he spoke, it has not been done; though he commanded, it has not stood fast? Till men presumptuously intermeddled with his ordinance, it fully answered all its purposes; and for them to throw on his appointment the blame of the effects produced by their violation of it, were not less foolish or impious, than, were the order of the planets disturbed, by man or angel introducing some counteracting force, to complain that the law of gravitation, which, till interfered with, had kept all regular, was not fitted to serve the purpose for which the Creator intended it. Looking at the simplicity of the Divine method of supporting Christianity, in contrast with the complexity of human arrangements, who can help exclaiming,

"Oh, how unlike the complex works of man,
Heaven's easy, artless, unencumber'd plan!
No meretricious graces to beguile,
No clustering ornaments to clog the pile.
From ostentation, as from weakness free;
It stands like the cerulean arch we see,
Majestic in its own simplicity?"†

Equity is another striking feature in this Divine arrangement. "The Lord" who has thus ordained,

* 1 Cor. ix. 14; Gal. vi. 6.

† Cowper.

“ is a rock ; his work is perfect ; all his ways are judgment ; the righteousness of his testimonies is everlasting.”* According to the principles of the New Testament, no man is called to submit to a spiritual instructor, against his will, or without his consent. It never entered into the mind of our Lord or his apostles, that Christian teachers should, by military force, be introduced into their sphere of labour ; or that the compulsory power of civil government should be employed, to wrest a support for them, from the unwilling hands of those, who derived no advantage from their labours. His ordinance provides, that the taught choose their own teacher ; and what can be more reasonable, than that he, who at the request of others, devotes his whole time and talents to their advantage, should be recompensed by them with a suitable maintenance ? “ The labourer is worthy of his hire.” I cannot help noticing here, that there is a beautiful connexion among Christ’s ordinances. They are nicely dove-tailed into each other. They are parts of one machine. Free election, and voluntary support, go well together. Neither institution, however excellent, abstractedly considered, will work well apart.

The voluntary support of the institutions of Christianity, bears also the deep impress of that *generosity*, which is decidedly the most prominent character of the whole Christian economy. The spring of all is *Divine* generosity—“ Herein is love, not that we loved God, but that God loved us, and gave his Son to be the propitiation for our sins ; he spared not his

* Deut. xxxii. 4 ; Psalm cxix. 144.

Son, but delivered him up for us all.” “Ye know the grace of our Lord Jesus, who, though he was rich, yet for our sakes he became poor, that we through his poverty might be rich.”* Men become Christians by having this “love of God shed abroad in their hearts, by the Holy Ghost given to them,”† on their believing the truth, and by its influence being formed to a character of similar generosity.

And all the institutions of Christianity are intended to cherish and perfect such a character. No man, according to the intention of the Author of Christianity, should be one of its teachers, unless he personally feel its influence. Men ought to be themselves “reconciled to God,” before they become “ministers of reconciliation” to others: and such men are required, having freely received, to give freely—to go forth, casting themselves on the faithfulness of their Master, firmly persuaded, that his word, attended by his Spirit, in its native effects on the minds of those to whom they minister, will secure for them that maintenance, which he knows to be best for them. And if the institution of voluntary support thus cherishes a generous spirit in the teacher, it has the same tendency in reference to those who are taught. Our Lord had all the wealth of the world at his command, but, instead of employing it, for the endowment of his church, he, in the ordinance we are associated to uphold, proclaims, ‘My treasure is in the hearts of my people. I entrust the support of my cause and my servants to the native operation of my truth on their

* 1 John iv. 10 ; 2 Cor. viii. 9.

† Rom. v. 5.

minds, and my love on their affections.' With what a different set of principles and feelings, both in the teacher and in the taught, are the humanly devised methods of supporting Christianity, actually, naturally, necessarily, associated !

Practical *usefulness* is another character of the Divine arrangement, as to the voluntary support of Christianity, which ought to recommend it to our warmest approbation, and most persevering advocacy. Such an arrangement is fitted equally to be useful to the teacher and the taught. In reference to the teacher, it is just a particular modification of a principle that pervades every sphere of social life, and without which, it seems doubtful if civil society could exist ; that the comfort of the individual depends on, and is proportioned to, his performance of the duties of the station in which he is placed. It absolutely secures, " that he who will not work, shall not eat ;" and when you take into consideration, what in this controversy is often overlooked, the true character of the Christian church, it secures, as completely as it is desirable that it should be secured, " that he who works shall eat." And as to the taught, it goes on the universally admitted principles, that men seldom value much what costs them nothing, and that they are likely to examine the quality of an article which they purchase, and to take care that when they pay for work, it shall be both regularly and well done.

This arrangement connects, in the closest manner, the duty and the interest of the Christian teacher, and this voluntary, though commanded, support, when it

is cheerfully yielded, binds him to his people by the additional tie of gratitude, while it gives the taught a much deeper interest, than otherwise they could have, in their instructor and his instructions; the display of which, by them, exercises a strong and salutary re-action on his character and conduct. It is not necessary to *prove*, the fact is notorious, that the schemes which have been substituted in the room of this Divine ordinance, have not produced such effects. They have exerted an influence, a powerful influence, both on teacher and taught, but it has been of a different character. It would have been wonderful if it had been otherwise—"do men gather grapes of thorns, or figs of thistles?"*

It is strange that an arrangement, bearing on it the broad deep stamp of Divine appointment, and in itself so simple, so equitable, so generous, so useful, should have been found fault with, especially by those, who profess to admit the Divine authority of that Revelation, in which it is so plainly asserted, that the Lord has thus ordained. But this is but one out of ten thousand ways, in which man manifests that pestilent spirit of criticism of, and interference with, Divine appointments of all kinds, by which our fallen nature is characterised.

I have sometimes amused myself by thinking, if man's powers had corresponded to his inclination, what strange changes he would have attempted in the order of God's universe. I have no doubt, that long ere now, some ingenious philosopher, having, in his

* See Note IX.

own estimation, discovered that the inclination of our globe's axis to the ecliptic, was not the best possible, and justified his opinion by a long series of misrepresented facts, and sophistical, though plausible, reasonings, would have made an alteration, which, instead of improving the condition of mankind, would have overwhelmed them in a general deluge. I have no doubt, that we should have had the sun rising in the west, instead of the east, and water flowing up towards the mountains, instead of down into the ocean. Happily, God has placed the laws of the physical world, entirely beyond the reach of human wisdom or folly. Interferences with the laws of God's moral and spiritual worlds, are not, however, so impracticable, but they are not less absurd,—they are still more impious.

When such interference takes place, it is requisite that something like a reason should be assigned for it. Let us look at some of the reasons which have been assigned, for interfering with that financial law of the Christian church, which it is the purpose of our Institution to uphold, and we will see that the objections urged against it, when honestly urged, originate in misconception. I cannot notice all such objections, but the following are a specimen, and certainly they are not selected on the principle, that they are the least plausible which have been brought forward, though in answering them I think it proper distinctly to state, that I feel as if I were doing a work of supererogation. I have proved the Divine authority of the ordinance, I have shown the intrinsic ex-

cellence of the ordinance, and therefore I should be perfectly warranted in saying, all objections are barred. It is impious even to propose them. But waiving this undoubtedly legitimate advantage of our position, let us examine them. It has been urged that the Voluntary system debases the character of the Christian ministry, throws almost insuperable obstacles in the way of the honest discharge of their duties, renders their support very precarious, and even places in hazard, not only the prosperity, but the very existence of Christianity.

With regard to the first of these objections, I might remark, that it is obviously the general law of the social world, and it bears deep marks of Divine wisdom and benignity, that man should be dependent on man. If absolute independence of condition is necessary to true dignity of character, there can be no such thing in our world. I might inquire if physicians and lawyers are necessarily men of low, degraded characters, and time-serving habits, because they are dependent on their patients and clients, and are not likely to retain their support, unless they are skilful and active in their respective professions. I might inquire, if a Christian minister should think himself, or be thought by others degraded, because he is supported, in the way in which Jesus Christ has appointed him to be supported,—in the way in which Jesus Christ himself chose to be supported, when he was on earth,—by the voluntary contributions of such as believed on him. But I choose to give the answer to this objection, in the words of the great and good

Dr Owen, and I do this the rather, as I have been publicly accused of ignorance, or of something worse, for representing that illustrious divine as a friend of the Voluntary principle.*

“This way” of Voluntary support “is the most honourable way, and that which casts the greatest respect upon them. Even the princes and rulers of the world have their revenue and supportment, from the substance of the people. Now I would only ask, whether it would not be more honourable that the people should willingly, and of their own accord, bring in their contribution, than merely to pay it under the compulsion of a law? For in this latter way, no man knoweth, whether they have the least true honour for their ruler, or regard unto his office. But if it might be done in the former, all the world must take notice what reverence, regard, and honour they have for the person and dignity of their prince. However men may please themselves with outward appearances of things, true honour consists in that respect and reverence, which others pay them in their minds and hearts. Now, when this is such, and that on account of duty, that men will freely contribute to their supportment, I know no more honourable subsistence in the world.

“What! will some say, to depend on the wills and love of the people—there is nothing more base or

* This accusation was brought forward in “the Record” London Newspaper. I could not have been gratified by the eulogy, and am in no degree mortified by the censure, of the calumniators of BINNEY and PYE SMITH, and indeed all consistent Dissenters.

unworthy. Yea, but what if all the honour that Jesus Christ himself hath, or accepts, from his people, proceeds from their wills and affections? Mohammed, indeed, who knew well enough, that neither honour, respect, nor obedience were due unto him, and that he could in no way recompense what should be done towards him in that kind, provided that men should be brought into subjection to his name, by fire and sword. But our Lord Jesus Christ despiseth all honour, all obedience, and respect, that is not voluntary and free, and which doth not proceed from the wills of men. And shall his servants, in the work of the gospel, suppose themselves debased to receive respect and honour, from the same principle?

“ Well, therefore, because our apostle tells us that our ‘ Lord hath ordained that they who preach the gospel should live of the gospel,’ and all obedience unto his ordinances must be voluntary, if ministers are ashamed, and esteem it unworthy of them to receive what is so contributed, in a way of voluntary obedience, let them try if they can prevail with themselves to receive it so, for him who is not ashamed to receive it, if it be only a cup of cold water, so it comes from a free and willing mind, when he despiseth the whole revenue of the world on compulsion. If they will not do so, their best way is to leave His service, and take up with that, which is more honourable.

“ For my own part, I do judge that the way of maintenance of ministers by voluntary benevolence, in a way of duty and obedience to Christ, though it

be not likely the most plentiful, is the most honourable of all others, and of this judgment I shall be, until I am convinced of two things ; that true honour does not consist, in the respect and regard of the minds of men, unto the real worth and usefulness of those who are honoured, but in outward ceremonies and forced works of regard ; and that it is not the duty which every church owes to Jesus Christ, to maintain those who labour in word and doctrine according to their ability, or that that is any gospel duty which is influenced by force and compulsion.”*

The second objection, that the Voluntary system throws almost insuperable obstacles, in the way of the honest discharge of the ministerial functions, is easily disposed of. When Christian churches are, in any tolerable degree, composed of the materials of which they ought to consist (and with all that is wanting and wrong about us, we may safely enough assert, that in this respect, the Voluntary Churches will not suffer on a comparison with the compulsory ones) ; the system has no such *tendency*, but indeed the very reverse, and in fact it is found to have no such *effect*. In forming a right judgment on the whole of this question, an essential element is the principle, so little understood by Churchmen,—*Christ's institutions were intended for Christ's people*. He never meant that “ a mixed multitude ”—a casual concourse—the whole inhabitants of a certain district, should observe the Lord's Supper together, or elect a Christian pas-

* Owen's Exposition of the Epistle to the Hebrews, folio edition, vol. iii. pp. 128, 129.

tor, or be the primary instruments, by their voluntary contributions, for sustaining the gospel ministry. Christ's ordinance is, "Let him that is taught in the word, communicate to him that teacheth." Let the *disciple* support his *teacher*. When a Christian church is at all what it ought to be, how can the minister secure the good opinion and support of the majority, but by a faithful discharge of his duty?

As the system has no such tendency, so it has no such effect. Unprincipled men will find their way into the purest ecclesiastical societies. There was a Judas among the apostles. But we have no objections to make the appeal, to the well-informed among our opponents: Is it in Voluntary churches, that a faithful exhibition of Christian doctrine and duty, is most rarely to be met with, and are the greater proportion of supple, time-serving preachers to be found among *their* ministers? *

The Oxonian Vice-chancellor furnishes us, with a very satisfactory reply to this objection. "It were easy to manifest, with how many more and greater inconveniences, the other way is attended, were we now comparing of them; and, in truth, it is a vain thing to look for or expect any such order and disposal of these things, as should administer no occasion, for the wisdom and graces of them concerned, nor would such a way be at all useful. I say, therefore, that God hath established mutual duty, to be the rule and measure of all things between ministers and people. Hereunto it is their wisdom and duty to attend, leav-

* Vide Note IX. *ad finem*.

ing the success unto God. And a minister may easily conclude, that seeing his whole supportment in earthly things, with respect unto his ministry, depends on the command of God, on account of the discharge of his duty, if he have respect thereto in his work, or so far as it is lawful for him to have, that the more sincere and upright he is therein, the more assured will his supportment be. And he who is enabled to give himself up to the work of the ministry, in a due manner, considering the nature of that work, and what he shall assuredly meet withal in its discharge, is not in much danger of being greatly moved with this pitiful consideration, of displeasing this or that man, in the discharge of his duty.”*

In reference to the third objection, that the Voluntary system renders the support of the Christian ministry very precarious, we have to ask, if it makes it no more precarious, than “the Lord” has thought fit to leave it, where does the complaint light? It has pleased God to make the support of all classes of men in the present state, to a certain degree precarious. Important advantages rise out of this arrangement, and why should the ministers of religion be excluded from these advantages? But, in reality, with all their laborious and complicated plans, with all the wisdom of senates, and all the power of armies, have they succeeded in placing the incomes of the state-pensioned clergy beyond the reach of sub-lunary hazard? Are the livings of the Established

* Owen's Exposition of the Epistle to the Hebrews, folio, vol. iii. pp. 129, 130.

Clergy in Ireland, in England, aye, in Scotland, perfectly secure just now? Do they feel them to be so? Their uncalled-for vauntings, and their lugubrious complaints, supply the answer. The ministers of voluntary churches are secured of such a living as their flocks can afford them, while the authority of Christ continues to govern the mind, and the love of Christ, to influence the hearts of their people. While we do our duty we have no fear—we need have no fear, of obtaining such a support as our Master sees best for us; and if we have confidence in his wisdom and kindness, what would we have more? No political change can materially affect us—“We need not fear though the earth be removed, though the mountains be cast into the midst of the sea.”

The last objection, that by the general prevalence of the Voluntary system, the very existence of Christianity would be hazarded, wears a much more infidel appearance, than any thing that has ever been advanced by the Voluntaries. “If it be said,” to draw again from the stores of Dr Owen, “that it is a thing impossible to work the people into a due discharge of their duty in this matter, I grant it is, while that is only, or principally intended. But if men (*i. e.* ministers), would not consider themselves and their interests, in the first place, but really endeavour their recovery unto faith, love, obedience, and holiness, and that by their own example, as well as teaching, it may well be hoped that this duty would recover again in the company of others; for, it is certain, it will never stand alone by it-

self.”* The safety of the Church depends, not on human expedients, but on the exercise of the power, and grace, and faithfulness of her Lord and King, and the more likely method to draw these forth, for either ministers or people, is not to usurp his authority, but to submit to it; not to alter his laws, but to obey them.

These objections, and they are the strongest our opponents bring forward, are easily disposed of. It is, however, deeply to be regretted, that the very imperfect observance of the ordinance of the voluntary support and extension of Christianity, on the part of some free churches, has given a plausibility to the representations of the enemies of the system, which otherwise they could not readily have obtained. The fact cannot be denied, and is to be accounted for on various principles. It is owing, in a considerable degree, to many Christians being imperfectly instructed in this part of the law of the Lord: and this again is owing to a false delicacy, on the part of their teachers, preventing them from bringing, so fully as they ought, before the minds of their people, this portion of Christian truth. The general prevalence of another mode of supporting the institutions of religion, contributes also to this result. Voluntary churches have many causes of complaint against Established churches, and this is one of the chief, that they not only rob their members, but have infected them with their worldly, illiberal spirit.

* Owen's Exposition of the Epistle to the Hebrews, folio, vol. iii. p. 130.

But the principal cause remains to be told—*Christ's institutions are meant for Christ's people.* The laws of his house are intended, for those who really dwell in it. Till the churches of Christ are more remarkable for their purity, we must not expect them to be more remarkable for their liberality. I know our adversaries will readily avail themselves of this concession;* but in the use they make of it

* The anticipation that our adversaries would avail themselves of the concession, "that Christ's institutions are meant for Christ's people, and that till his churches become more remarkable for their purity, we must not expect them to be more remarkable for their liberality," has speedily been fulfilled. In a tract published since this address was delivered, under the superintendence of the Glasgow Association for promoting the interests of the Church of Scotland, entitled, "The Church of Scotland the Poor Man's Church, by William Collins," it is stated, that Dr John Brown, at a Voluntary Church meeting, said, that "Voluntaryism was only fitted for those who are really under the influence of Christian principle." As I believe Mr Collins is incapable of wilful misrepresentation, he must have been misinformed; and the misinformation may have originated on the part of his informer, in misconception. I most certainly uttered no such words as the above (and from their being put within *double inverted commas*, it seems meant to be understood, that they are my *ipsissima verba*); most certainly I expressed no such sentiment, as that which I suppose from what follows—(for I can only guess at the meaning) they are intended to convey—"that the system of the voluntary support of Christian institutions may *maintain*, but cannot *extend* them." I hold that Christ's ordinance on this subject is quite adequate to both purposes; and that man's substitute for it, has prevented the propagation, fully as much as it has corrupted the purity of Christianity. I hold, as I presume Mr Collins does, that the gospel should be preached only *by* Christian men, but neither of us hold that it should be preached only *to* Christian men. I hold that Christ's mode of maintaining and extending his church is by the voluntary contributions of his people; but I equally hold, that, taught by his Spirit, as well as by his word, to "look, not every one at his own things, but every one also at the things of others," they *will* not, they *cannot*, as Mr Collins says they will, "leave untouched the great mass of the ungodly and the irreligious" around them, but that "the word of the Lord will sound out from them" to those who are not dis-

they only show the deplorable ignorance, under which they labour, respecting the true nature and the true energies of the Christian Church. It is our firm conviction that far more would be done, both for the support and for the extension of Christianity, by a body numerically much smaller than the present Voluntary Church, if that body was more fully under the influence of Christian principle—that the true Chris-

posed, or who are not able, to support a gospel ministry for themselves. This seems to me, on every principle of Scripture or reason, a preferable plan to a Civil Establishment. My doctrine is, that a few qualified, willing agents, acting in the way in which He, on whose blessing ultimate success entirely depends, has appointed, will do more execution, than many unqualified, unwilling agents, acting in a manner which he not only never authorized, but which is directly opposed to his express appointment—that the Christians in this country left to the native operation of Christian principle, would do far more to extend Christianity, than the mass of the population, the great majority of which is composed of unbelievers, will do, by being compelled to pay a tax for its support. A system, which necessarily encourages ungodly men to become teachers of a religion, which they neither understand nor believe, and does this in such a degree, that without breach of charity, it may be doubted, whether in any religious body under its influence, such men have not always formed the majority of its clergy—which attempts to create a demand for an article, for which men have naturally no relish, but a strong dislike, by strengthening and irritating all their prejudices against it, by obliging them to buy it, or at any rate pay its price, whether they use it or not—which seeks to convert ungodly men by taxing them for the maintenance of a religion for which they have no regard, and to make men Christians by compelling them to support a class of Instructors whom they have not chosen, and whose services, they, in their own estimation, neither need nor desire—such a system seems to me not well fitted to be efficient, either for maintaining or for extending Christianity. If Established Churches have, in either of these ways, promoted Christianity, it has been because they were *churches*, not because they were *Established Churches*. Their connexion with the State is the source, not of their *strength*, but of their *weakness*, as spiritual societies; and all the good they have done, has been, not *in consequence*, but *in spite*, of their establishment.

tians would do far more, if they were disjoined from the false brethren, than the connected, not united, society does at present. Worldly men, and especially worldly men of wealth and influence, bring weakness, not strength, into the Christian Church. We are persuaded that the Christian Church, like Gideon's army, must be thinned, and thinned again, before it become fit, for the exertions which are to precede its taking possession of "the inheritance of the world:" And we "rejoice, with trembling," to know that "HIS fan is in his hand, and he will thoroughly purge his floor."

It is also deeply to be regretted, that, in many cases, where there is no ground to complain of want of Christian liberality in Christian Churches,—where the provision made for the support of Christian ordinances is fully adequate to every purpose of usefulness, such as to astonish, if not to shame Compulsory Churchmen, the contributions are made without any *direct* reference to the authority of Jesus Christ requiring them. There is no sum more cheerfully paid, it may be, than the liberal seat-rent; but still it is paid, rather as the result of a human arrangement, than as the observance of a Divine ordinance; it is the payment of a civil debt, rather than the performance of a religious duty. When the contribution is not an oblation—when the communication is not a sacrifice—when it is not felt as an act of obedience to Jesus Christ—an expression of gratitude primarily to him, and secondarily to the instruments of his kindness, it cannot be that powerful means of

spiritual improvement which our Lord meant it to be, and which, when thus rendered, it is obviously calculated to be. Will you bear with me, in making one quotation more from that great theologian, to whose authority our opponents are ready enough, on some occasions, to appeal. They appeal to Dr Owen, and to Dr Owen let them go.

“ Let them who are true disciples indeed, know, that it is greatly incumbent on them, to roll away that reproach which is cast on the institutions of Christ, by the miscarriages of the generality of Christians. ‘ He hath ordained that those who preach the gospel, live on the gospel,’—and the way whereby he has prescribed this to be effected, is, that those who are his disciples, should, in obedience to his commands, supply them with temporals, by whom spirituals are dispensed to them. If this be not done, a reproach is cast on HIS institutions as insufficient for the end for which they are designed. It is therefore incumbent on all who have any true zeal for the glory and honour of Christ, to manifest their exemplary obedience and faithfulness in this matter, whereby it may appear that it is not any defect in the appointment of Christ, but the stubborn disobedience and unbelief of man, that is the cause of any disorder.”

I conclude, by expressing my earnest desire that we may, and my firm hope that we shall, be enabled to hold steadily on the way which God has so plainly opened before us ; and that, instead of murmuring, that by our conscientious convictions, we are shut out

from partaking of the apparent advantages of a compulsory support of Christian institutions, though by a law equally at war with sound policy, equity, and Christianity, we are compelled to contribute to its funds (a species of persecution for conscience' sake, to which, while it continues, we should submit with a Christian spirit; or, if we oppose it at all, oppose it only by a passive resistance; while we are, by no means, forbidden to use every constitutional means to get rid of so degrading and vexatious a burden), we shall rejoice that we are placed in circumstances in which we are under no temptation to render void by human traditions a Divine ordinance, and that in the unsparing faithfulness, yet fatherly kindness of the ministrations of our teachers—in the strict, impartial, yet meek exercise of discipline by our rulers, and in the growing intelligence, and piety, and liberality, and active usefulness of the great body of our church members, we shall be enabled to live down the slanders of our enemies, and correct the misapprehensions of our rash-judging brethren of the Establishment, by thus exhibiting to the world the native influence, of the simple principles of the Christian institution operating on the minds of men, uncramped by the interference of secular power, which even, where the intentions of the immediate agents may have been honest (which they seldom have been) has just, in the degree in which it has been exerted in the Christian church, prevented good, and produced evil.

NOTES AND ILLUSTRATIONS TO THE ADDRESSES.

NOTE I.

THE ESTABLISHMENT MAY BE IN DANGER, WHILE THE
CHURCH IS SAFE.

DYMOND.

“It has frequently been said that ‘the church is in danger.’ What is meant by the church? or what is it that is in danger? Is it meant that the Episcopal form of church government is endangered—that some religious revolution is likely to take place, by which a Christian community shall be precluded from adopting that internal constitution which it thinks best? This surely cannot be feared. The day is gone by, in England at least, when the abolition of prelacy could become a measure of state. One community has its conference, and another its annual assembly, and another its independency, without any molestation. Who then would molest the English Church, because it prefers the government of bishops to any other? Is it meant that the doctrines of the church are endangered, or that its liturgy will be prohibited? Surely no. Whilst every other church is allowed to preach what doctrine it pleases, and to use what formularies it pleases, the liberty will surely not be denied to the Episcopal church. If the doctrines and government of that church be Christian and true, there is no reason to fear for their stability. Its members have superabundant ability to defend the truth. What then is it that is endangered? Of what are those who complain of danger, afraid? Is it meant that its civil immunities are endangered,—that its revenues are

endangered? Is it meant that its members will hereafter have to support their ministers, without assistance from other churches? Is it feared that there will cease to be such things, as rich deaconries and bishoprics? Is it feared that the members of other churches will become eligible to the legislature, and that the heads of this church will not be temporal peers? In brief, Is it feared that this church will become merely one amongst the many, with no privileges but such as are common to good citizens and to good Christians? These surely are the things, of which they are afraid. It is not for religious truth, but for civil immunities; it is not for forms of church government, but for political pre-eminence: it is not for the church, but for the church establishment. Let a man, then, when he joins in the exclamation, 'the church is in danger,' present to his mind distinct ideas of his meaning, and of the object of his fears. If his alarm and his sorrow are occasioned not for religion but for politics—not for the purity and usefulness of the church, but for its immunities—not for the offices of its ministers, but for their splendour—let him be at peace. There is nothing in all this for which the Christian needs to be in sorrow or in fear.

"And why? Because all that constitutes a church, as a Christian community, may remain when these things are swept away. There may be prelates, without nobility; there may be deans and archdeacons, without benefices and patronage; there may be pastors, without a legal provision; there may be a liturgy, without a test.

"In the sense in which it is manifest that the phrase 'the church is in danger,' is ordinarily to be understood, that is, the Establishment is in danger—the fears are undoubtedly well-founded: the danger is real and imminent. It may not be immediate, perhaps; perhaps it may not be near at hand; but it is real, imminent, inevitable. The Establishment is indeed in danger; and I believe that no advocacy, however zealous, that no support, however determined, that no power, however great, will preserve it from destruction. If the declarations which have been cited in this chapter be true, if the reasonings which have been offered in this and in the last be just, who is the man that, as a Christian, regrets its danger, or would delay its fall? He may wish to delay it as a politician; he may regret it as an expectant of temporal advantage, but as a Christian he will rejoice.

"Supposing the doctrines and government of the Church to be sound, it is probable, that its stability would be increased, by what is called its destruction. It would then only be detached, from that alliance with the state, which encumbers it, and weighs it down, and

despoils its beauty, and obscures its brightness. Contention for this alliance will eventually be found to illustrate the proposition, that a man's greatest enemies are those of his own household. He is the practical enemy of the church, who endeavours the continuance of its connexion with the state: except, indeed, that the more zealous the endeavour, the more quickly, it is probable, the connexion will be dissolved; and, therefore, though such persons 'mean not so, neither do their hearts think so,' yet they may be thus the agents, in the hand of God, of hastening the day, in which she shall be purified from every evil thing; in which she shall 'arise and shine because her light is come, and because the glory of the Lord is risen upon her.'"—*Dymond's Essays*, Essay iii. Chap. 15. vol. ii. pp. 329–332.

NOTE II.

ACT FOR ESTABLISHING RELIGIOUS FREEDOM, PASSED IN THE
ASSEMBLY OF VIRGINIA, IN THE BEGINNING OF THE YEAR
1786.

The object of Voluntary Church Associations, is just to bring this country into the same situation, in which some of the United States of America have, with great advantage to all interests, civil and religious, been placed for more than half a century. The following Act of the General Assembly of Virginia, contains a very clear and condensed view of the reasons against civil establishments of religion. Few superior legal documents are to be found in the statute-book of any country:—

“Well aware that Almighty God has created the mind free,—that all attempts to influence it by temporal punishments or burdens, or civil incapacitations, tend only to beget hypocrisy, and are a departure from the plan of the Holy Author of our religion, who being Lord of body and mind, yet chose not to propagate it by coercion on either;—that the impious presumption of legislators and rulers, civil and ecclesiastical (who being themselves but fallible and uninspired men, have assumed dominion over the faith of others, setting up their own opinions and modes of thinking, as alone true and infallible, and as such endeavouring to impose them upon others), hath established and maintained false religions over the greater part of the world, and through all time;—that to compel a man to furnish contributions of

money for the propagation of opinions which he disbelieves, is sinful and tyrannical ;—that even the forcing a man to support this or that teacher of his own religious persuasion, is depriving him of the comfortable liberty of giving his contributions to the particular pastor, whose morals he would make his pattern, and whose powers he feels most persuasive to righteousness, and withdrawing from the ministry those temporal rewards, which, proceeding from an approbation of their personal conduct, are an additional incitement to earnest and unremitted labours for the instruction of mankind ;—that our civil rights have no dependence on our religious opinions, more than on our opinions in physics or in geometry ;—that, therefore, the proscribing any citizen as unworthy of the public confidence, by laying upon him an incapacity, of being called to offices of trust and emolument, unless he profess to renounce this or that religious opinion, is depriving him, injuriously, of those privileges and advantages, to which, in common with his fellow citizens, he has a natural right, and tends also to corrupt the principles of that very religion, it is meant to encourage, by bribing with a monopoly of worldly honours and emoluments, those who will externally conform to it ;—that though indeed those are criminal who do not withstand such temptations, yet neither are those innocent who lay them in their way ;—that to suffer the civil magistrate to intrude his powers into the field of opinion, and to restrain the profession or propagation of principles on a supposition of their ill tendency, is a dangerous fallacy, which at once destroys all religious liberty, because he being, of course, judge of that tendency, will make his opinions the rule of judgment, and approve or condemn the sentiments of others only as they shall agree with or differ from his own ;—that it is time enough for the rightful purposes of civil government, for its officers to interpose, when principles break out in overt acts, against peace and good order ;—and, finally, that truth is great, and will prevail if left to herself,—is the proper and sufficient antagonist to error, and can have nothing to fear from the conflict, unless (by human interposition), disarmed of her natural weapons, free argument and debate,—errors ceasing to be dangerous when it is permitted freely to contradict them.

“ Be it therefore enacted by the General Assembly, That no man shall be compelled to support any religious worship, place or minister, whatsoever, nor shall be forced, restrained, molested, or burdened in his body or goods, nor shall otherwise suffer, on account of his religious opinions or belief ; but that all men shall be free to profess, and by argument to maintain, their opinion, in matters of religion ;—and

that the same shall in no wise diminish, enlarge, or affect their civil capacities.

“ And though we well know that this Assembly, elected by the people for the ordinary purposes of legislation only, have no power to restrain the acts of succeeding Assemblies, constituted with powers equal to our own ; and that, therefore, to declare this act irrevocable, would be of no effect in law ; yet we are free to declare, and do declare, that the rights hereby asserted are natural rights of mankind ; and that if any act shall be hereafter passed to repeal the present, or to narrow its operation, such act will be an infringement of natural rights.”—*A Collection of Testimonies in favour of Religious Liberty*, pp. 87, 88. 8vo. Lond. 1790.

NOTE III.

THE ESTABLISHED CHURCH NOT SELF-SUPPORTED.

“ It is said that in our own country, the individual citizen does not *pay* the ministers of the state religion. I am glad that this seeming paradox is advanced, because it indicates that those who advance it confess that to make them pay would be wrong. Why else should they deny it? It is said, then, that persons who pay tithes, do not pay the established clergy ; that tithes are properly held as a person holds an estate ; that if tithes were taken off, rents would advance to the same amount ; that the buyer of an estate pays so much the less for it, because it is subject to tithes, and therefore that neither owner nor occupier pay any thing. This is specious, but only specious. The landholder pays the clergyman, just as he pays the tax-gatherer. If taxes were taken off, rents would advance just as much, as if tithes were taken off ; and a person may as well say, that he does not pay taxes, as that he does not pay tithes. The simple fact is, that an order of clergy are, in this respect, in the same situation as the body of stockholders who live on their dividends. They are supported by the country. The people pay the stockholder in the form of taxes, and the clergyman in the form of tithes. Suppose every clergyman were to leave the country to-morrow, and to cease to derive any income from it, it is manifest that the income they now derive would be divided among those who remain,—that is, that those who now pay would cease to pay. Rent, and taxes, and tithes, are, *in these re-*

spects, on one footing. Without now inquiring whether they are right, they are all payments—something by which a man does not receive the whole of the product of his labour.

“The argument, therefore, which affirms that dissenters from the state religion, do not pay to that religion, appears to be wholly fallacious; and being such, we are at liberty to assume, that to make them pay, is indefensible and unchristian; for we repeat the observation, that he who is anxious to prove they do not pay, evinces his opinion, that to compel them to pay would be wrong.”—*Dymond's Essays*, vol. ii. Ess. iii. Chap. xvi.

NOTE IV.

CHURCH PROPERTY PUBLIC PROPERTY.

JAMES DOUGLAS, ESQ.

The following observations of Mr DOUGLAS are decisive of the question:—“At the Reformation, the doctrine that church property is public property, was established beyond any reasonable doubt, by the wealth despoiled from the Church of Rome being applied, to the support of principles diametrically opposite to the superstition, for whose maintenance these funds had been originally set apart. It would almost surpass belief, that a Protestant clergyman, subsisting on the residue of Popish benefices, could hesitate for a moment to admit that church property is public property, for otherwise what right has he to his present living? which, unless the State had the power to divert it from its original intention, must inalienably have belonged to the Popish priesthood, and he who appropriates their goods to his own use, except upon the principle that church property is public property, is, in terms of his own confession, a robber and ‘spoiler of churches.’ But by every mite that a Protestant clergyman receives, he acknowledges this principle, that church property is public property, that the legislature has the right to withdraw it from its original purpose, and to assign it to objects diametrically opposite, provided these objects are supposed to coincide with the greatest possible amount of public good.”

NOTE V.

USELESSNESS OF A CIVIL ESTABLISHMENT OF RELIGION.

ARCHDEACON BLACKBURNE.

“ The reason given why human establishments with regard to religion are necessary, is, ‘ that the welfare and support of society is so founded, by the great Author of Nature, on the basis of religion, that it is impossible to separate the one from the other; and, of consequence, the establishment of the one will necessarily require the establishment of the other:’ The meaning of which at the bottom is only this: that human laws reach the exigencies of civil society so imperfectly, that unless the influence of religion is connected with them, the welfare and peace of civil society cannot be supported: which I apprehend nobody will deny.

“ But, then, as this plan of civil government is delineated by the great Author of Nature, it will be necessary to take *his* directions in the execution of it, if any such direction may be come at; and if no such directions are to be found, it is doubtful whether the plan itself authorized by the great Author of Nature may be found.

“ The sophism here turns upon the word *establishment*. Religion may be said to be established, where it is received and professed by individuals, upon the sole authority of divine revelation. Civil society can only be established, by human laws and ordinances. If, then, the establishment of religion by divine revelation, is sufficient to answer the purposes of civil society, the purposes of the great Author of Nature, in creating this connexion, are answered at the same time; and with any farther establishment of religion, human laws have nothing to do. Whether they have or not is the question,—and it has been very pertinently asked, Who is the judge? that is to say, who is the judge, how far it may be necessary to establish religion by human laws?

“ To this it has been answered,—‘ the same legislative powers which establish the one have a right to establish the other; and to chuse that religion which they think best.’ Where it must be supposed, that the great Author of Nature hath left it, as free for magistrates and legislators to establish, by human laws, what doctrines or modes of religion they choose, or find expedient for secular utility, as it is for them to choose what mode of civil society, they find convenient; which, indeed, is to suppose, that there never was any authentic re-

velation of true religion in the world. For as surely as God hath revealed true religion, so surely has he inhibited magistrates and all others, from establishing any thing contrary to it, or deviating from it.

“ It is most likely that this right of the legislative powers will be held to be confined to the enforcing of a uniformity of *profession* only. But in this view, the establishment of religion will afford no aid to civil laws; inasmuch as he who professes one thing, and believes another, will derive none of that influence, from his profession, which is necessary to supply the unavoidable defects of civil ordinances. And if the Great Author of Nature founded the welfare and support of society, on no surer basis of religion than this, it hardly seems worthy of his infinite wisdom, to have interposed in this matter at all.

“ Upon these principles, whatever right, Christian legislators have to establish what religion they choose for the best, the same had the Pagan legislators. Suppose, then, these latter to have extended their establishment no farther than to an uniformity of profession, what were St Paul’s converts to do? Were they to comply with the modes of the times, and profess themselves idolaters? This the Apostle prohibits in express terms, and herein ventures to counteract this right of the civil legislative powers; and no doubt upon good authority.”—*Confessional*, Ch. vi. *Blackburne’s Works*, vol. v. pp. 365–374. 8vo. Lond. 1804.

“ Protestant churches ought not to employ human powers, to establish religion, upon civil and political principles, nor ought conscientious Christians to receive their religion so established. But if Protestant churches, so called, have done this, and approved by deeds what they have disclaimed in words, they have left the consistent Christian no option, but either to comply with these churches on civil and political principles, or to decline all doctrinal connexion with them.”—*Ibid*, pp. 339, 340.

NOTE VI.

ABSURDITY OF HUMAN ATTEMPTS TO ESTABLISH CHRISTIANITY
AND THE CHRISTIAN CHURCH.

CHARLES STUART, M. D.

“ It was prophesied, that in the last days, ‘ the mountain of the house of the Lord ’ opened to all nations, should be ‘ *established on the top of the mountains.*’ We know that this house, in the view of the prophets, denotes those who have received and hold fast ‘ confidence and rejoicing of hope in Christ Jesus;’ Heb. iii. 6. And we are assured by the apostles, that these prophecies are fulfilled; that Jesus is ‘ the Mediator of a covenant,’ not temporary, like the former, with Israel, but ‘ *established on better promises,*’ and that ‘ the holy nation,’ redeemed and gathered out of all nations, with whom this new covenant is made, ‘ receive a kingdom’ that cannot be shaken and shall not be moved, but will ever remain; Heb. xii. 27, 28. All the events which have hitherto taken place, or shall ever take place upon earth, have shown, and will show, the accomplishment of this and of every part of the word of God. Notwithstanding the apostacy of professing friends, persecutions by enemies, the removal from this world of those who seemed to be pillars, for upholding this spiritual building;—notwithstanding the flood of opposition poured forth by those, who have endeavoured, openly or covertly, to undermine and sweep it away; notwithstanding the corruption of the divine doctrines, and precepts, and institutions, God has hitherto made good his promise to his chosen. ‘ Thy seed will I *establish* for ever, and will build up thy throne to all generations. He hath built his church upon a rock, nor shall death, nor ‘ He that has the power of death, prevail against it.’ The church of God, then, can never be in danger.

“ The means employed to establish it, serve to excite our admiration. The Scriptures have been preserved and handed down, by those who prohibited their use, because they testified against them. The seed of the word has proved incorruptible, in circumstances which must have been fatal, to any book that was not divine. God also hath provided agents, to spread the knowledge of it, who meant not so: and often they have had a grand part to act in his designs, whose warmest wish was to thwart them. But ‘ his kingdom ruleth over all.’ Every event of this world is ultimately more or less subservient

to the *Religious Establishment*, for which it was created. Besides the passive instruments of his designs, and the invisible ministers, who delight to fulfil them, he hath demanded the spontaneous co-operation, of all his willing people, to promote the welfare and establishment of that kingdom, to which they belong. Nor can they bear true allegiance to its Lord, if they be not actively engaged in this. He hath clearly and fully declared, what he calls them to do for this end; and as far as their efforts are directed by, and agreeable to his will, they have been attended with his blessing, and crowned with success.

“But men have thought fit, to make use of other means, than God has prescribed, and have meanwhile imagined, that they were employed acceptably to him. The wayward policy, the corrupt influence, the vain philosophy, the authority, the glory, and the splendour of this world, have all been employed, as those concerned have said, to promote and *establish* religion,—i. e. to *establish* ‘a kingdom not of this world,’ which might, and power, and worldly wisdom, may corrupt and defile, but which God’s word and Spirit have set up, and alone can *establish*.”—*Quarterly Magazine*, vol. ii. pp. 37–39.

These pungent remarks had for their author Dr CHARLES STUART of Dunearn, once a minister of the Church of Scotland, but who, from conscientious scruples, left her communion, and was long an eminent physician in this city. He was the son-in-law of Dr JOHN ERSKINE, “*venerandum nomen*,” and the intimate friend of ANDREW FULLER; and the biographer of John Knox, in an eulogium on him, soon after his death, at an annual meeting of the Gaelic School Society,—of which it is not too much to say, that it was worthy of its subject and its author—with the beauty and simplicity of truth, says of him: “In Dr Stuart I always found the honourable feelings of the gentleman, the refined and liberal thinking of the scholar, and the unaffected and humble piety of the Christian.” Having, like that distinguished and lamented individual, “had the honour and happiness of an intimate acquaintance with Dr S. during a considerable number of years,” I may be permitted to add, that for critical acumen, acquaintance with, and veneration for the Word of God, I do not know if I have ever met with his superior.

The concluding observations of the article, of which the above remarks form the introduction, written about forty years ago, seem almost prophetic. “The ecclesiastical establishments of this country can boast of the best abilities of the time. Let such men descend into the field, and bring forth their strong reasons. The advocates of Christ’s spiritual kingdom will meet them, we doubt not, as David

met Goliath. Those opposed to establishments of religion upon Christian principles, cannot, however, endeavour to subvert them by conspiracies and violence. No : ‘ the weapons of our warfare are mighty, but ‘ they are not carnal.’ ‘ Spiritual wickedness in high places’ will not be pulled down, at least by the efforts of Christians, in the same way as it was set up, by those engines employed by superstitious or political men. True dissenters are not robbers of temples nor blasphemers of established religion. The sword they employ is that of the Spirit. Truth doth not destroy by violent convulsions, but by slow consumption. ‘ The Man of Sin,’ indeed, hath received his death-wound ; at least, if his soul and spirit remain, his body, the organs by which they acted, his secular power is struck in the fifth rib. Grey hairs are here and there also upon all his offspring ; and with whatever wailings, the friends of the family may lament them, they shall not be able to re-animate their broken constitutions, but ‘ the consumption decreed shall overflow in righteousness.’—*Ibid*, pp. 53, 54.

NOTE VII.

INFLUENCE OF CIVIL ESTABLISHMENT ON CHRISTIANITY.

THOMAS HARDY, D. D.

“ Unhappily the early Christian emperors departed alike from prudence and from evangelical principle, in their public measures relative to Christianity. These measures had three objects : to oblige their Heathen subjects to become Christians ; to oblige all the Christians to hold the same opinions on speculative subjects ; and to increase the power of the clergy.

“ The continued pursuit of these ends, for several reigns, produced effects which were decisive and fatal. The Pagans, perceiving that Christianity was become the road to preferment, and finding themselves first subjected to disabilities, and then to penalties, for continuing to worship the gods of their ancestors, abandoned their profession, and flocked into the church by hundreds and by thousands. Their conversion was nominal, and was not founded on conviction ; they retained the prejudices of their superstition unsubdued, instead of throwing them down at the foot of the Cross. They could not ‘ see the kingdom of God’ in its proper character, for they were not ‘ born again’ in the spirit of truth ; they came not as little children under

the tuition of Christ ; they introduced into the church itself, the essential principles of Paganism ; by their numbers they gave to those principles a footing, which was permanent, and which a great part of Christendom has not, even yet, been able to remove.

“ The terrible influx of the Pagans, on the conversion of the court, corrupted the church ; and the resolution of the emperors, to have but one religion among their subjects, brought unspeakable detriment to the cause which they meant to support. The other two objects of the imperial policy were not more fortunate in the event ; for, in endeavouring, by the secular arm, to compel all the Christians, to entertain the same speculative opinions, on the questions then debated, the sovereigns at once turned free discussion into controversy and strife ; they inflamed instead of extinguishing party spirit ; they formally divided the church into sects ; they entailed the disputes of their own times, as an inheritance of sorrow to posterity, and wrote INTOLERANCE over the portal of the house of God.

The elevation of the clergy to power, by which the teachers of the humble religion of Jesus were transformed into an ambitious priesthood, was the creation of a formidable support, to any superstitions which might find access to the church, and, at the same time, an effectual clog to prevent the progress of the Christian faith, in new regions. Thus, in consequence of fatal indiscretion in the measures of the court, and of a system of policy erroneous in principle, Christianity suffered infinitely more from Constantine, than it had done from Diocletian, and received wounds from the hands of Theodosius, such as Julian could never have inflicted.

“ The mode of corruption which Christianity experienced, during its period of decline in the fourth and fifth centuries, consisted partly in an extension of the ritual, which transformed the religion in its obvious characters from the discipline of the heart, to a pitiful exhibition of gestures, forms, and pageantry ; and partly in the introduction of dark theories, imported from the academies of the Egyptian sophists, and mixed with the doctrine of the gospel, as alloy and dross, debasing the gold of the sanctuary. By the extended ritual and the mysticism together, the beauty and authority of religion as a practical rule was lost, the actual redemption from vice, and the improvement of men individually in piety and holiness, for which the Lord of the Christians had laboured and bled, were in effect set aside, and supplanted by new contrivances, which were adopted as substitutes for eternal virtue. From all this it followed, that to tender, to a new nation, the religion as now altered in substance, was to

offer something else, than that, which the experience of three centuries had proved to be calculated for success; it was to offer something, which having no foundation in human nature, no support from right reason, no accommodation to the general exigencies of the human race, could not succeed; of course, it did not succeed; men would not exchange for it the opinions and rites of their fathers, and their reluctance is in no degree surprising.”—*The Progress of the Christian Religion—A Sermon by Thomas Hardy, D.D., Regius Professor of Divinity and Church History, in the University of Edinburgh*, pp. 22–25. Edin. 1794.

The author of this admirable passage, was one of the ablest men of his time. It is to be regretted, that his few but valuable publications have not been collected, and thus put into wider circulation, and a more enduring form. It is still more to be regretted, that the thoughts and opinions of such a man, embodied in his Lectures on Ecclesiastical History, should be lost to the world.

NOTE VIII.

EUTHANASIA OF SECESSION AND DISSENT.

“We have no wish that the Secession *should* be perpetual. We have no expectation that it *shall*. Its founders had no such wish or expectation. Dearly as they loved the Secession Church, cheerfully as they suffered, willingly as they would have died in her cause, their prayer never was *ESTO PERPETUA*. They did not secede till, in their estimation, secession had become absolutely necessary; and it was their avowed intention, that when secession ceased to be necessary, secession should cease to exist. They seem for some time to have indulged the hope, that by the Established Church effecting the required reformation, the necessity of secession would be but of short continuance, for, in some instances, their places of worship were so constructed, as that, with little difficulty, they could have been converted into private dwellings.

“The Euthanasia of the Secession in this way is now at the end of a hundred years, an event far less probable than ever. But in another and a better way, that desirable event does seem hastening forward with a rapidity, as terrific to one class of persons, as it is delightful to another. Our forefathers hoped that the Secession would hon-

ourably close, in the reformation of the national church. The majority of their descendants are expecting materially the same event, in the dissolution of the national establishment. If we can at all decypher the mystic characters of unfulfilled prophecy, ‘the cities of the nations’ are tottering to their fall, and ‘Babylon is coming up in remembrance before God.’ If we can at all discern the signs of the times, the band which binds in corrupt union the Church and the State, is near disruption. It seems plain, that if not ere long cautiously unloosed by the wary hand of legislation, in compliance with the demand of enlightened public opinion, it will be rudely torn asunder by the reckless hand of tumultuary violence.

“That band, while it remains, necessarily perpetuates division in the church of Christ. It unites those who ought to be separate. It separates those who ought to be one. When that unnatural, loathsome conjunction of the living and the dead, which the Established Church of this country exhibits—which every established church ever has exhibited, ever must exhibit—shall be dissolved, the dead will soon be buried in that grave which is ready for them, and for which they have long been ready; while the living, freed from the fetters which bound them to disease and pollution, will walk at liberty, and associate with their living brethren who never were in bondage, in prosecution of the great objects for which spiritual life is bestowed. The corrupt part of the Established Church, deprived of the support of the State, could not exist for a year as a distinct religious denomination. The faithful portion of the church would naturally connect themselves, with those who, in their views of Christian truth, are already of one mind and heart with them, and the name of the Secession Church would be honourably merged in that of the United Presbyterian Church of Scotland.

“And may we not hope that ere another century revolves, even this name will be felt to be unduly sectarian—that under the clear light and genial influence of a millennial sun, the true followers of Jesus Christ of every denomination will be made to ‘see eye to eye,’—that there shall be a general return to the purity of primitive doctrine, the holiness of primitive discipline, and the simplicity of primitive usage—that Christians shall be known only by names expressive of their subjection to one Lord, and their love to one another—

‘That sects and party names shall fall,
And JESUS CHRIST be all in all.’

—that it shall no longer be the Established Church, and the Seces-

sion Church, and the Relief Church, and the Congregational Churches, and the Baptist Churches, but the Church of Christ in Scotland—that in our land, as by and by in all lands, there shall be but ‘one fold,’ as there is ‘One Shepherd.’”—*Address at the Celebration of the Centenary of the Secession, Dec. 1833.—United Secession Magazine, vol. ii. pp. 120, 121.*

NOTE IX.

ADVANTAGES OF THE VOLUNTARY SYSTEM CONTRASTED WITH THE COMPULSORY SYSTEM.

DYMOND.

“There are some advantages attendant on the voluntary system, which that of a legal provision does not possess.

“And, first, it appears to be of importance, that there should be a union, a harmony, a cordiality, between the minister and the people. It is, in truth, an indispensable requisite. Christianity, which is a religion of love, cannot flourish, where unkindly feelings prevail. Now, I think it is manifest, that harmony and cordiality are likely to prevail more, where the minister is chosen and voluntarily remunerated by his hearers, than where they are not consulted in the choice, where they are obliged to take him, whom others please to appoint, and where they are compelled to pay him, whether they like him or not. The *tendency* of this last system is evidently opposed to perfect kindliness and cordiality. There is likely to be a sort of natural connexion, a communication of good offices, induced between hearers and the man, whom they themselves choose and voluntarily remunerate, which is less likely in the other case. If love be of such consequence generally to the Christian character, it is especially of consequence, that it should subsist between him who assumes to be a dispenser, and them who are in the relation of hearers of the gospel of Christ.

“Indeed, the very circumstance that a man is *compelled* to pay a preacher, tends to the introduction of unkind and unfriendly feelings. It is not to be expected that men will pay him more graciously, or with a better will, than they pay a tax-gatherer; and we all know that the tax-gatherer is one of the last persons men wish to see. He who desires to extend the influence of Christianity, would be very

cautious of establishing a system, of which so ungracious a regulation formed a part. There is truth, worthy of grave attention, in the ludicrous verses of Cowper. Speaking of the tithing-time of his friend Unwin, he says,—

‘ In sooth the sorrow of such days,
Is not to be expressed ;
When he that takes and he that pays,
Are both alike distressed.
Now all unwelcome at his gates,
The clumsy swains alight,
With rueful faces and bald pates,
He trembles at the sight—
And well he may, for well he knows
Each bumpkin of the clan,
Instead of paying what he owes,
Will cheat him if he can.

* * * *

At length the busy time begins,
“ Come, neighbours, we must wag,”
The money chinks, down drop their chins,
Each lugging out a bag.

* * * *

Quoth one, “ A rarer man than you
In pulpit none can hear ;
But yet, methinks, to tell you true,
You sell it plaguy dear.”

“ It is easy to perceive that the influence of that man’s exhortations must be diminished, whose hearers listen with the reflection, that his advice is ‘ plaguy dear.’ The reflection, too, is perfectly natural, and therefore cannot be helped. And when superadded to this, is the consideration that it is not only sold ‘ dear,’ but that payment is *enforced*, material injury must be sustained, by the cause of religion. In this view, it may be remarked, that the support of a establishment by a general tax, would be preferable to the payment of each pastor by his own hearers. Nor is it unworthy of notice, that some persons will always think (whether with reason or without it), that compulsory maintenance is not *right* ; and in whatever degree they do this, there is an increased cause of dissatisfaction or estrangement.

“ Again. The teacher who is *independent* of the congregation—who will enjoy all his emoluments whether they are satisfied with him or not, is under manifest temptations to remissness in his duty—

not perhaps to remissness in those particulars on which his superiors would animadvert—but on those which respect the unstipulated and undefinable, but very important duties of private care and of private labours. To mention this is sufficient.—No man who reflects on the human constitution, or who looks around him, will need arguments to prove, that *they* are likely to labour negligently, whose profits are not increased by assiduity and zeal. I know that the power of religion can and often does counteract this; but that is no argument for putting temptation in the way. So powerful, indeed, is this temptation, that with a very great number, it is acknowledged to prevail. Even if we do not assert, with a clergyman, that a great proportion of his brethren labour only so much for the religious benefit of their parishioners as will screen them from the arm of the law, there is other evidence that is unhappily conclusive. The desperate extent to which non-residence is practised, is infallible proof that a large proportion of the clergy are remiss, in the discharge of the duties of a Christian pastor. They do not discharge them *con amore*. And how should they? It was not the wish to do this, which prompted them to become clergymen at first. They were influenced by another object, and that they have obtained—they possess an income; and it is not to be expected, that when this is obtained, the mental desires should suddenly become elevated and purified, and that they who entered the church for the sake of its emoluments, should commonly labour in it for the sake of religion.

“Although to many the motive for entering the church is the same as that for engaging in other professions, it is an unhappiness peculiar to the clerical profession, that it does not offer the same stimulus to subsequent exertion—that advancement does not usually depend on desert. The man who seeks for an income from surgery or the bar, is continually prompted to pay exemplary attention to its duties. Unless the surgeon is skilful and attentive, he knows that practice is not to be expected—unless the pleader devotes himself to statutes and reports, he knows that he is not to expect cases and briefs: But the clergyman, whether he study the Bible or not, whether he be diligent and zealous or not, still possesses his living. Nor would it be rational to expect, that where the ordinary stimulus to human exertion is wanting, the exertion itself should generally be found.

“Upon the question of the comparative advantages of a legal provision and a voluntary remuneration, in securing the due discharge of the ministerial function, What is the evidence of facts? Are the

ministers of established or of unestablished churches the more zealous, the more exemplary, the more laborious, the more devoted? Whether of the two are the most beloved by their hearers? Whether of the two lead the more exemplary and religious lives? Whether of the two are the more active in works of philanthropy? It is a question of facts—and the facts are before the world.”—*Dymond's Essays*, vol. ii. Essay iii. Chap. 14.

ISAAC TAYLOR.

“A body of clergy at once exonerated of all solicitude, removed from all dependence, and at the same time sheltered from the salutary operation of public opinion, or, at least, so shielded as to save the inert and negligent from real alarms, such a body, we say, wants a stay to its virtue, which human nature may not safely dispense with. Ministers of religion so seated under the hedge, may look down upon others, beating the waves, and bless their happier lot; but all such boasting is vain; the congratulation of those who are at ease is often, and assuredly it is so in this instance, a fatal delusion. To rejoice that we are free from every invigorating excitement, and to be glad that we are not permitted to breathe the open fresh air, is the pitiable solace of a crazed hypochondriac.”—*Spiritual Despotism*, p. 75. 8vo. Lond. 1835.

These observations, weighty in themselves, derive additional importance from the consideration, that their accomplished author is a decided, but, as it appears to many of his admirers, an inconsistent enemy to the dissolution of the connexion between Church and State, though desirous that that connexion should be better regulated than it is. Like Dr Chalmers, whom in many points he resembles, especially in sometimes clothing a common-place thought in such gorgeous array as that we scarcely recognize our old acquaintance,—he has great faith in the “machinery,” if it were but thoroughly repaired and well worked. Like many other good men, he does not seem to see any thing wrong, in men’s “setting their threshold by God’s threshold, and their posts by his posts,”* in his own spiritual temple—nor to hear the voice which ere long is likely to peal its thunders through the land, so as to arouse the most inattentive.—“Take away her battlements, for they are not the Lord’s.”†

* Ezek. xliii. 8.

† Jer. v. 10.

NOTE X.

THE PRINCIPLES OF VOLUNTARYISM STATED AND DEFENDED BY
DISTINGUISHED CHURCHMEN.

It is with great satisfaction that I grace the concluding pages of this “Farrago,”—*libri*, I suppose I must say, for the number of the page, if not the weariness of the reader, would proclaim the inappropriateness of the poet’s diminutive “*libelli*,”—with the sentiments of three men, who have generally and justly been considered as among the “*decora et tutamina*” of the Scottish Establishment: The first, Principal GEORGE CAMPBELL, of Aberdeen (the most accomplished Biblical critic which our country has produced since the days of Cameron), who for half a century has been gathered to his fathers: The second, Dr ANDREW THOMSON, a man of strong intellect and ardent temperament, an acute disputant, a dexterous debater, an eloquent declaimer, who succeeded in making many devoted adherents and many keen opponents, and whose premature and sudden call into eternity, commanding general attention and exciting general regret, read a very solemn lesson to both: The third,—who lives, and long may he live,—Dr CHALMERS, probably by all without the Church of Scotland, and by most within it, admitted to be not only among “the first thirty,” but among “the first three” of her living worthies, if he be not the foremost of them all.

DR GEORGE CAMPBELL.

“The methods whereby, according to the command of our Lord, his religion was to be propagated, were no other than teaching, and the attractive influence of an exemplary life, Matth. xxviii. 19; Mark xvi. 15; Matth. v. 16; Matth. x. 14–28. Of the whole armour of God to be employed in this warfare, the apostle has given us a catalogue, Eph. vi. 14, *et seq.* Behold the Christian’s panoply! But for the use of other arms, offensive or defensive, in the battles of faith, I can find no warrant.

“But though this suited the infancy of the church when she was yet feeble and tender, now that she is grown hardier and more robust, is it not reasonable that she should change her plan, and assume, in addressing her adversaries, a bolder note? Is there no permission given by our Lord to have recourse, when that should happen, to other weapons? Had his disciples no hint of the propriety, or rather

necessity, of penal statutes, for adding weight to their teaching, for checking the encroachments of error, and chastising the insolence of those who should dare, in the maturity of the church, to controvert her judgment? Not the slightest suggestion of such an alteration. On the contrary, it appears inconsistent with the nature of the church, devised by our Saviour, and modelled by his apostles. Hear himself in that good confession, which he witnessed before Pontius Pilate, 'Jesus answered, my kingdom is not of this world: if my kingdom were of this world, then would my servants fight, that I should not be delivered to the Jews; but now is my kingdom not from hence.' Swords and spears, and all such instruments of hostility, are suited to the defence of secular and worldly kingdoms; but such weapons are preposterous, when employed in support of a dispensation, quite spiritual and heavenly. In regard to it, the order is, 'Put up again thy sword into his place; for all they that take the sword shall perish with the sword;' *Matth. xxvi. 52.*

"The maxims of the apostles we find entirely conformable to the lessons they had received from their Lord; *2 Cor. v. 11; x. 3; 2 Tim. ii. 24; Tit. iii. 10.*

"Is it not most natural to think that a cause will be best supported by the same means by which it was founded? To the dispensation of the Gospel, which is the dispensation of 'grace, mercy, and peace,' ought there not to be a suitableness in the methods employed to promote it? Shall we then think of any expedient for defending the cause of Christ different from those which he and his Apostles successfully employed? In the most unlovely spirit of Popery, and with the unhallowed arms of Popery, we would fight against Popery. It is not by such weapons that God hath promised to consume the Man of Sin, but it is with 'the breath of his mouth,' that is his word. As for us, though we be often loud enough in our pretensions to faith, our faith is not in his word. We have no faith now in weapons invisible and impalpable. Fire and steel suit us a great deal better. Christians in ancient times confided in the divine promises; we in these days confide in acts of Parliament. They trusted to 'the sword of the Spirit' for the defence of truth and the defeat of error; we trust to the sword of the magistrate. God's promises do well enough, when the legislature is their surety; but if ye destroy the hedges and the bulwarks which the laws have raised, we shall cry, 'Behold our bones are dried, our hope is lost: we are cut off for our part.' There is no more security for the true religion: Protestantism is gone! all is lost.' 'Woe to him,' saith the prophet, 'that establish-

eth a city by iniquity.' And shall the city of God itself, his church, his cause, the cause of truth and purity, be established by such accursed means? The introduction of force, into the service of religion, whether applied by the magistrate or the mob, has ever proved, and will prove, the bane of true religion. It is the establishment of the profession of religion, on the ruins of its spirit."—*Address to the People of Scotland, upon the Alarms which have been raised in regard to Popery*, pp. 7-12, 40, 50. Edin. 1779.

The inconsistency of these sentiments, with the defence of civil establishments of religion, was clearly perceived, by the Principal's acute antagonist in the Popish Bill Controversy, Professor BRUCE; and in his able, learned, and eloquent, though unsatisfactory work, "*Free Thoughts on the Toleration of Popery*," published under the assumed name of CALVINUS MINOR, he administers, "*con amore*," a somewhat severe castigation. "These doctrines," says he, "come a little awkwardly, from the clergy and doctors in the legal establishment; and if turned into another shape, and applied against themselves, we greatly suspect, they would not relish quite so well. Great as the Doctor's admiration of the Apostle's method of propagating religion appears to be, yet, I daresay, he has not betaken himself to the apostolic plan of labouring in this design, 'without purse or scrip;' and strong as his faith in the divine promises may be, yet it is not so strong as to convince him, that he has no manner of use, for an act of parliament for his benefice, nor will he reckon it a disparagement to his faith, to trust somewhat to that additional security. Nothing almost has been heard in the Assembly-house, where the Doctor has so often sat, but acts of Parliament, and the statute-book, while the rules of the Gospel, the principles of the Reformation, and the ends of spiritual edification, have been forgot: And what has been so common as to see their ecclesiastical acts confirmed by king's messengers, and backed with the irresistible argument of G. R. greeting: And even in those days of boasted moderation, have not red-coated apostles and military saints, trained and equipped according to the gospel of Mohammed or St Dominic, often been sent forth to obtain obedience to their oppressive decisions; who have charged the rascally Christians (who perhaps scrupled to call a trifling fop their spiritual Father in Christ, or who would not accept of some ignorant, worthless, or profane wretch for their guide to heaven), charged them, with the sword and musket at their breast, *to receive the gospel?* But adieu now to all such methods of planting the gospel. Now that the Papists are coming on the field, to claim their ancient property, and

re-assume their own weapons, our Established clergy are willing to resign them in their favour, and to content themselves with their Bibles, homilies, and prayers, 'hating' every weapon, as well as 'every garment spotted with the flesh.' We may surely henceforth expect happy reforming times!"—*Free Thoughts on the Toleration of Popery*, pp. 261, 262. Edin. 1780.

That Dr Campbell's sentiments on this subject remained unchanged, is plain, from the following quotation, from a note on Mark x. 30, in his last and greatest work—a work, the true value of which will never be adequately appreciated in this country, till a higher standard of Biblical learning be established, among its theologians.

"If our Lord's kingdom had been, what it is not, a worldly kingdom; if greatness in it, had resulted, as in such kingdoms, from wealth and dominion, there would have been reason to consider the reign of Constantine, as the halcyon days of the church, and a blessed time to all its members. But if the reverse was the fact; if our Lord's kingdom was purely spiritual; if the greatness of any member resulted from his humility and usefulness; and if superior authority arose purely from superior knowledge and charity; if the riches of the Christian consisted in faith and good works, I am afraid the changes introduced by the emperor, were more the corrupters, than the establishers, of the kingdom of Christ. The name, indeed, was extended, the profession supported, and those who assumed the name, when it became fashionable, and a means of preferment, multiplied; but the spirit, the life, and the power of religion, visibly declined every day."—*The Four Gospels, translated from the Greek, with preliminary Dissertations and Notes, Critical and Explanatory*, vol. ii. p. 491. 4to. Lond. 1789.

DR ANDREW THOMSON.

Dr THOMSON's statement is short, but very decisive. It appears in a letter addressed to Sir James W. Moncreiff, and read by him at a public meeting held in Edinburgh, on the 14th March 1829, to petition parliament, for the removal of the disabilities affecting the Roman Catholics.

"I cannot see it to be consistent, with the maxims either of Scripture or of expediency, that the ministers of that faith" (the Established Protestant clergy in Ireland), "should rest upon the foundation of their tithes and their stipends, and consult for its safety mainly, by surrounding and fortifying it with acts of Parliament, as galling and oppressive as they are inefficient in their operation, in-

stead of going forth to fight the battles of the Truth, clothed in the spiritual armour with which the Great Head of the Church has so liberally provided his servants, if they will but put it on and use it, and employing the school and the Bible, enlightened zeal, faithful preaching, sound argument, diffusive knowledge, fervent prayer, unwearied benevolence, and holy example, which, by God's blessing, are mightier than all other means besides for exterminating error and sin, and for enlarging the kingdom of righteousness, and peace, and joy."—*Report of Speeches of Sir James Moncreiff, &c.* p. 10. Edin. 1829.

DR CHALMERS.

Dr CHALMERS, though somewhat more magniloquent, than either the clear-sighted, cool-headed Principal, or the sturdy-minded, ardent-spirited Doctor, with equal explicitness and force, states and defends the radical principles of Voluntaryism.

"How comes it, that Protestantism made such triumphant progress, in these realms, when it had pains and penalties to struggle with?—and how came this progress to be arrested, from the moment it laid on these pains and penalties, in its turn? What have all the enactments of the statute-book done, for the cause of Protestantism in Ireland? and how is it, that, when single-handed truth walked through our island, with the might and prowess of a conqueror, so soon as propped by the authority of the state, and the armour of intolerance was given to her, the brilliant career of her victories was ended? It was when she took up the carnal and laid down the spiritual weapon; it was then that strength went out of her. She was struck with impotency, on the instant that, from a warfare of principle, it became a warfare of politics. There are gentlemen opposed to us profound in the documents of history; but she has really nothing to offer half so instructive, as the living history, that is now before our eyes. With the pains and penalties to fight against, the cause of Reformation did almost every thing in Britain; with the pains and penalties on its side, it has done nothing, and worse than nothing, in Ireland. * * * *

"I am sensible of one advantage which our opponents have against us, and that is a certain command over the religious feelings of the population: And yet I am not aware of any public topic on which the popular and prevailing cry ever ran so counter as it does at present to the whole drift and spirit of Christianity. What other instruments do we read of, in the New Testament, for the defence and propagation of the faith, but the Word of God, and the Spirit of God? How does the Apostle explain the principle of its triumphs, in that

age, when truth was so ‘mighty to the pulling down of strongholds?’ It was because the weapons of his warfare were not carnal. He confined himself to the use of spiritual weapons, the only ones by which to assail the strongholds, either of popery or paganism. The kingdom of God, which is not of this world, refuses to be indebted for its advancement to any other. Reason, and Scripture, and prayer—these compose, or ought to compose, the whole armoury of Protestantism; and it is by these alone, that the battles of the Faith can be successfully fought. It is since the admission of intolerance, that unseemly associate, within our camp, that the cause of the Reformation has come down from its vantage ground; and from the moment it wrested this engine, from the hands of its adversaries, and began to wield and brandish it itself, from that moment it has been at a dead stand. We want to be disencumbered of this weight, and to be restored thereby to our own free and proper energies. We want truth and force to be dissevered from each other,—the moral and spiritual to be no longer implicated with the grossly physical; for never shall we prosper, and never shall we prevail in Ireland” [nor any where else], “till our cause be delivered from the outrage and the contamination of so unholy an alliance.”—*Report of Speeches*, &c. pp. 18, 19.

“There is much to be gathered upon this subject from the lessons of the New Testament, taken in conjunction with the conduct of the early Christians. ‘The powers that be’ are said to be ‘ordained of God,’ and yet these powers, who were heathen magistrates, were called ‘ministers of God,’ and that at a time, when there was not a Christian, far less a Protestant magistrate, in existence. But these Christians gave all up, except their conscience and their faith, to the will of idolatrous masters. The apostle Paul never aimed at Christianizing the government, in any other way than by doing with Nero what he did with some of Nero’s household—turning them to the faith. Whatever may be the right of citizens—and I do not question it—to pull a tyrant from his throne, he never, in his ecclesiastical capacity, would have put his hand to other than ecclesiastical work; that is, plied men with the overtures of the gospel as he had opportunity. To this the Christians of the primitive ages confined themselves; and by this they at length effected the Christianization of the empire, when, through the conversion of Constantine, whether real or nominal, the church came into a new position, and the religion of the Bible became what is called the religion of the State.

“In reference to what has been alleged by a speaker who has gone before me, from the Old Testament, it is of prime importance to re-

mark, that on the introduction of this complex polity of church and state, there took place nothing, which could at all liken it to the theocracy of the Hebrews. There is no warrant whatever, for that Judaism of spirit and principle wherewith the notions of so many in our day, on the subject of the union between the ecclesiastical and the civil, are so thoroughly, and, I will add, so grossly infected. The flaming top of Mount Sinai in the sight of all the people—the voice of God that issued therefrom—the express and statistical provisions of a law grounded upon temporal sanctions, and which took cognizance chiefly, if not solely, of the temporal interests and rights of all in the commonwealth;—these were what ushered in that peculiar economy which has now passed away, and in which the authority of the church, and the authority of the state, were so intimately blended. There was nothing in the least like unto this, in the economy of the Gospel. There could not. For about three centuries there was a Christian church, but it was a church without a state. Each took its own several way. The state persecuted the church, or forbore at pleasure; and the church stood to the state in the relation of duty only, not at all of power. It preached submission to rulers, it prayed for them, and in all, but the things of conscience, was obedient to them. It never once dreamed of religion as being the qualification, for any other crown than a crown in heaven—for any other office than an office of labour and faithfulness in that church, whose business it is to prepare a people for heaven's exercises and heaven's joys. Under these principles it grew in the midst of conflict and persecution, and was only cradled into maturity and strength, by the adverse elements of an adverse world. But this change in its outward state brought no change on the principles of the Gospel. It may have corrupted the practice of Christians, but it could not alter, by one iota, the nature of Christianity, whose lessons are entirely, and indestructibly the same; as in its days of suffering, so in the days of its prosperity and triumph.

* * * * *

“ If it be really a religious fear which is making these alarmists so tremulously alive to the changes that are coming upon us; if, after all, it be something holier and higher than a sordid fear for their persons and properties, if instead of a carnal affection for their own private interests, it be a spiritual and sacred affection for the high interests of truth and righteousness in the world; it should surely yield them some comfort to be told, that never did the Church more prosper, and never did the Church's right and peculiar business go on more prosperously, than when all the high places of society were filled

with idolaters, and the sovereigns of the earth, besides being idolatrous despots, were the greatest monsters the world ever saw. This contemporaneous existence of a most Christian church, along with a most unchristian government, is worthy at least of being noticed by those who are now charging themselves with the regulation of the one, as if that were indispensable to the well-being of the other. It may well prompt the misgiving thought, that possibly after all they are looking and labouring in the wrong way, and that the vital prosperity of the Church comes from another quarter altogether, than that whither their cares and cogitations are now carrying them. It may well beget the suspicion, that there is perhaps a misjudgment and misdirection of effort and zeal, in this whole matter. Certain it is, that neither apostles nor apostolic men took the direction which they are now doing. They never thought of kings and of governors but to pray for them; and leaving states and statesmen, and all the elements of this world behind them, confined themselves to their own high and holy walk of labouring, with the souls and consciences of men. And the principle is, that we are not to fight the battles of the Lord with other weapons than himself has consecrated. We are not to attempt the forwarding of a holy cause by unholy means. We are not to vitiate the pure ministration of righteousness and truth, by the deleterious ingredient of human policy. We are not to force even the best of causes, by an infringement on the natural rights, whether of property or of conscience.”—*Speech of Dr Chalmers before the Presbytery of Edinburgh, April 1829.*

“This assimilation of our plan” [the support of the Bible Society by regular contribution from the poor] “to a tax, may give rise to a world of impetuous declamation; but let it ever be remembered, that the institution of a Bible Society” [It is obviously equally true of a Voluntary Church.] “gives you the whole benefit of such a tax, without its odiousness. It brings up their economy to a higher pitch, but it does so, not in the way which they resist, but in the way which they choose. The single circumstance of its being a *voluntary* act, forms the defence and the answer to all the clamours of an affected sympathy. You take from the poor. No! they give. You take beyond their ability. Of this they are the best judges. You abridge their comforts. No! there is a comfort in the exercise of charity; there is a comfort in the act of lending a hand to a noble enterprize; there is a comfort in the contemplation of its progress; there is a comfort in rendering a service to a friend, and when that friend is the Saviour, and that service the circulation of the message he left behind him, it

is a comfort which many of the poor are ambitious to share in. Leave them to judge of their comfort, and if, in point of fact, they do give their penny a-week to a Bible Society" [or a Voluntary Church], "it just speaks them to have more comfort in this way of spending it, than in any other which occurs to them.

"Perhaps it does not occur to those friends of the poor, while they are sitting in judgment on their circumstances and feelings, how unjustly and how unworthily they think of them. They do not conceive how truth and benevolence can be at all objects to them, and suppose, that after they have got the meat to feed, the house to shelter, the raiment to cover them, there is nothing else that they will bestow a penny upon. They may not be able to express their feelings on a suspicion so ungenerous, but I shall do it for them: 'We have souls as well as you, and precious to our hearts is the Saviour who died for them. It is true, we have our distresses, but these have bound us more firmly to our Bibles, and it is the desire of our hearts, that a gift so precious, should be sent to the poor of other countries. The word of God is our hope and our rejoicing; we desire that it may be theirs also, that the wandering savage may know it and be glad, and the poor negro, under the lash of his master, may be told of a Master in heaven, who is full of pity and full of kindness. Do you think that sympathy for such as these is your peculiar attribute? Know that our hearts are made of the same materials with your own, that we can feel as well as you, and out of the earnings of a hard and an honest industry, we shall give an offering to the cause; nor shall we cease our exertions till the message of salvation be carried round the globe, and made known to the countless millions who live in guilt, and who die in darkness.'"—*Chalmers on the Influence of Bible Societies on the Temporal Necessities of the Poor*, §§ 20, 21, pp. 13, 19. 12mo. Edin. 1814.

Lest it should be said—these statements are either of a very remote date, or they are the unguarded expressions of an orator, excited by opposition, we call the reader's attention to the following passage from a sermon, "on the respect due to antiquity"—which, having been revised by the author, has just come from the press, in the eleventh volume of his collected works.

"After having wrested from Popery its armour of intolerance, was it right to wield that very armour, against the enemy that had fallen? After having laid it prostrate, by the use alone of a spiritual weapon, was it right or necessary, in order to keep it prostrate, to make use of a carnal one? thus reversing the characters of that warfare, which

Truth had sustained, and with such triumph against Falsehood ; and vilifying the noble cause by an associate so unseemly, as that which the power of the State can make to bear on the now disarmed and subjugated minority. Surely the very strength which won for Protestantism its ascendancy in these realms, is competent of itself to preserve it ; and if argument and Scripture alone have achieved the victory over falsehood, why not confide to argument and Scripture alone the maintenance of the truth ? It is truly instructive to mark, how, on the moment that the forces of the statute-book were enlisted on the side of Protestantism, from that moment Popery, armed with a generous indignancy against its oppressors, put on that moral strength, which persecution always gives to every cause, that is at once honoured and sustained by it. O if the friends of religious liberty had but kept by their own spiritual weapons, when the cause was moving on in such prosperity, and with such triumph. But when they threw aside argument, and brandished the ensigns of authority, then it was that truth felt the virtue go out of her ; and falsehood, inspired with an energy before unknown, planted the unyielding footstep, and put on the resolute defiance. And now that centuries have rolled on, all the influences, whether of persuasion or of power, have been idly thrown away on the firm, the impracticable countenance of an aggrieved population.”—*The Works of Thomas Chalmers, D.D. and LL.D.*, vol. xi. pp. 152, 153. 12mo. Glasgow. 1838.

There is, indeed, in the same volume, a defence of religious establishments—but this is only one, out of many, of the Doctor’s exploits, in the way of “ building again what he had destroyed.” He is much more successful, however, in demolition, than in re-edification.

These very remarkable paragraphs contain the unretracted sentiments of one, of whom, nearly twenty years ago, I, with most cordial admiration, recorded my opinion, as “ a distinguished individual, whose original genius, extensive literary and scientific acquirements, and overwhelming eloquence, devoted, as they honestly, zealously, and steadily are, to the best interests of mankind, make him an honour and blessing to his country and age.”*

When, some twelve years ago, he became Professor of Divinity in our metropolitan University, I felt, in common with many not con-

* On the State of Scotland, in reference to the means of religious instruction, p. 27. Edin. 1819.

ned with the Established Church, almost as if I had made a personal acquisition. I admired the disinterested desire of becoming the means of great and extensive good, which led him to relinquish a comparatively easy academical situation, and occupy a chair, which, though honourable, was but poorly endowed, and the duties of which, if rightly discharged, must be very laborious; especially as his principles rendered it impossible for him to accept of a city pastoral charge, which the law of the church left open, and which the patrons would have felt honoured in bestowing; and I congratulated the country on the prospect of, through his energetic exertions, soon receiving a more enlightened, and therefore a more liberal national clergy, than it perhaps had ever enjoyed. How lamentably these anticipations have been disappointed, need not be told. He has contrived to inoculate many of his pupils with his zeal, but in not a few of them, through some peculiarity in their mental constitution, it has unhappily degenerated into virulence; and, as he has been less successful in infusing, so extensively, the comprehensiveness of his theological views, and the kindness of his personal feelings, it is by no means “an undoubted truth,” as he takes for granted (*Lecture I. ad finem*), “that there is a distinct and a decided improvement in the *personnel* of the Church of Scotland.” A bitter hatred of dissent and dissenters and a blind zeal for civil establishment and additional endowments, if they can create “an energetic agency” for working the so highly admired “machinery,” will not go far to form “an efficient clergy;” if by that is meant a Christian ministry, whose labours are fitted to “convince and convert sinners, and build up saints, in holiness and comfort, through faith, unto salvation.”

The improvement of a party is not always in the *direct*,—it may sometimes be in the *inverse*, ratio of its enlargement. The category of Quality, in such a case, is fully as important as that of Quantity. Moral power does not necessarily grow, with numbers.

We may be hard to please—but really (not to speak of those living ornaments of the Church of Scotland, with whom at one time we frequently associated, and whom we still regard with most sincere esteem and affection—alas! a yearly lessening band, lest the mere fact of their being the object of our friendly regards, should render them suspected by their younger very zealous brethren), when we think, as we often do, of the ERSKINES and the BLACKS, the SNODGRASSES and the BALFOURS, the DICKSONS and the DAVIDSONS, the SMALLS and the WRIGHTS, and the whole class to which they belonged, of sound theologians, warm-hearted Christians, liberal churchmen, laborious mi-

nisters, and honest friends of the constitutional rights of the Christian people, with some of whom, in "the days of other years," we have "taken sweet counsel, and gone to the house of God in company," we must be excused if the inspired adage should suggest itself to our recollection, "No man having tasted old wine straight desireth new, for he saith the old is better."

I am not alone in the deep regret, with which I have witnessed the narrow, and devious, and interrupted channel, along which, for some years, with occasional hazard of the shipwreck of something more valuable than literary reputation,* the irrepressible current of the Doctor's zeal and exertions has been forcing its tumultuous way. Alas! how unlike that "place of broad rivers and streams," where the tide of his Christian eloquence had full course, amid the heartfelt plaudits of the Christian public of this country, without reference to sectarian denomination. It is to be deplored, for his own fame, and still more for the interests of Christian truth and charity, that this distinguished individual, who seemed equally, by his intellectual and moral constitution,—the liberality of his mind, and the kindliness of his heart, "made a public creature,"† as Burke says of his accomplished son, formed to be the common property of the Christian world, should have chosen, to throw himself away, on the most sectarian portion of that community, and to "give up to a party what was meant for mankind."

To reconcile the sentiments contained in the above paragraphs, with much that their author has spoken, and written, and done, since they were published, is, to me, I confess, utterly impracticable; but that he considers them quite compatible, I do and must believe; for I will not easily be driven to either of the alternative conclusions, to which otherwise I should find myself shut up; that Dr Chalmers is so cowardly as not, publicly and plainly, to retract sentiments which he is convinced are false and dangerous, or so daring as, in defiance equally of conscientious conviction and public opinion, to prosecute a course which he knows, and they see, to be utterly inconsistent with his strongly expressed, deliberately published, frequently repeated,

* The deplorable squabble about the moderatorship, in 1837, was one of the most perilous of these cataracts. Some of the small craft sustained irreparable damage, and even the admiral's gallant ship did not escape unhurt. In that most unseemly conflict, in the estimation of all unprejudiced spectators, the vanquished was the victor. The "odium clericum" has seldom assumed a more odious form. "Tantæne iræ——?"

† Burke's Letter to a Noble Lord, p. 30. Lond. 1796.

and, hitherto unretracted and unmodified opinions. Real inconsistency is, however, not always conscious inconsistency. This consideration should prevent uncharitable conclusions as to character, but it is no reason why incongruities of conduct should not be exposed when the interests of truth require it. Really, some good men do try severely the ingenuity and charity, of those who are very unwilling to lower, in their "chambers of imagery," the object of disinterested and long-cherished esteem and affection. It is curious how often "the idol" abolishes itself.

The Doctor's defence of Establishments in his lately published lectures, is by no means so luminous or satisfactory (though equally strenuous and still more elaborate), as his above defence of Voluntaryism. It has, no doubt, an air of philosophy about it; but it is that kind of philosophy which Bacon describes as "*phantasticum et tumidum et quasi poeticum*"*—into which, according to him, men endowed "*ingeniis altis et elevatis*," and we are sure the Doctor belongs to that class, are most apt to fall. Sir James Mackintosh's words, in reference to Burke's theory of a civil establishment of religion,† are as appropriate to Dr Chalmers', as if they had been originally intended for it. The shoe, though not made to fit, fits when made. "When he or his admirers translate his statements into a series of propositions, expressed in precise and unadorned English, they may become the proper objects of argument and discussion."‡ Till then, though they may be written about, I fear they cannot well be answered. *Causa patet*. "An author," says Dr Campbell, in reference to Mr Hume, "is never so sure of writing unanswerably as when he writes altogether unintelligibly. It is impossible, that you should fight your enemy before you find him; and, if he have screened himself in darkness, it is next to impossible, that you should find him."§ Literary combat becomes equally impracticable when the antagonist occupies different, and distant, and even opposite, positions at the same time—or, to borrow the elegant phrase of a celebrated statesman and orator, "turns his back upon himself." In such a case, for more reasons than one, the conflict might be declined without dishonour.

In a useful periodical, the Colossus he has raised, with the one foot on Great Britain and the other on Ireland—the latter especially

* Baconi. Nov. Org. Lib. i. § lxx. Works, vol. i. p. 283. Folio. Lond. 1740.

† Reflections on the Revolution in France, pp. 145, 146.

‡ Vindiciæ Gallicæ, p. 144.

§ Campbell's Dissertation on Miracles. Concl. p. 133. Lond. 1834.

rather insecure footing,—by a process as dexterous as effectual, is completely undermined ; a pebble may now lay him prostrate.*

The scheme of extension, to which he has sacrificed so many of his best years, though, as it exists in his mind, a beautiful vision, no doubt, bright with the colours of his fancy, mellowed by the tints of the pious benevolence of his heart, is a plan which, in the present state of society in this country, cannot possibly be realized ; and the degree, though by no means so great, as his flatterers lead him to suppose, in which that scheme has found zealous supporters, would be a wonderful proof of the power of genius to invest the most absurd theories with the guise of plausibility, were it not that a considerable portion of that support must be traced to the operation of other principles. “ The fear of change perplexes ” others besides “ monarchs ”—disorders even minds of considerable strength and soundness, and not unfrequently, as in the present case, hurries into a course of conduct which precipitates the catastrophe, it was intended to prevent. It is, always, dangerous to prophesy, but especially in these strange times, when the foundations of the earth seem to have gone out of their course, yet we cannot doubt, that the period is not very distant, when that extension scheme, which appearing in the dark and troubled sky of the State-church, was hailed by many, as the star, which betokened the approach of a new and brighter dawn, will be discovered to be but a meteor, which, after having led its followers into a quagmire, will leave them there, to ponder their folly, and to extricate themselves as best they may.

Another and a better light is gilding the tops of the mountains,—the harbinger of the sun of that “ thousand years ” of purity and blessedness, which “ with the Lord is as one day.” Ere long the battlements of Zion, struck by its holy radiance, will, like the fabled image of Memnon, become vocal. “ Her watchmen shall lift up the voice— with the voice together shall they sing,” and all her true citizens, wherever they are, shall hear and obey the joyful summons, “ **ARISE AND SHINE, FOR THY LIGHT IS COME, AND THE GLORY OF THE LORD IS RISEN UPON THEE. O HOUSE OF JACOB, COME YE AND WALK IN THE LIGHT OF THE LORD.**”†

* United Secession Magazine, for August and October, 1838.

† Isaiah lii. 8 ; lx. 1 ; ii. 5.

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SUPPLEMENTARY NOTES

TO THE THIRD EDITION OF

THE LAW OF CHRIST RESPECTING
CIVIL OBEDIENCE,

&c.

“ The public power of all societies is above every soul, contained in the same societies : And the principal use of that power is to give laws unto all that are under it ; which laws, in such case, we must obey, unless there be reason showed, which may necessarily enforce that the law of reason or of God doth enjoin the contrary.”—HOOKER.

“ No governors or legislators have any authority from God or man to make such laws as are unjust, and oppressive, and destructive of public good ; nor the people consequently any obligation in point of conscience to submit to them ; though, when they are not such to a great degree, public good may induce them to such submission.”—HODLY.

“ Disobedience unto laws, which are made by the magistrate, is not a thing of so small account, as some would make it. However too rigorous it were, that the breach of every human law should be held a deadly sin. A mean there is between those extremities, if so be we can find it out.”—HOOKER.

SUPPLEMENTARY NOTES

TO THE THIRD EDITION OF

THE LAW OF CHRIST RESPECTING CIVIL OBEDIENCE, ESPECIALLY IN THE PAYMENT OF TRIBUTE.

✓
BY JOHN BROWN, D. D.,

MINISTER OF THE UNITED ASSOCIATE CONGREGATION, BROUGHTON PLACE, EDINBURGH;
AND PROFESSOR OF EXEGETICAL THEOLOGY TO THE UNITED SECESSION CHURCH.

“ Qui rempublicam cum ecclesia confundunt, de utroque statu tam civili quam ecclesiastico, pessime merentur; suamque produnt non minus impietatem, quam maximarum rerum ignoracionem.”—AND. MELVINUS. *Com. in Ep. ad. Rom. MS.*

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P R E F A C E.

IN looking over the Third Edition of the Treatise “ On the Law of Christ respecting Civil Obedience, especially in the Payment of Tribute,” on its coming from the Press, to detect such mistakes as might have escaped the eye both of the Printer and the Author, various remarks occurred, and a number of passages, I had overlooked, or had met with in the course of subsequent reading, suggested themselves to me, as fitted to throw additional light, on the important topics treated in the Work ; and thinking that, if another Edition should, at any future time, be required, they might be useful, I jotted them down, on the margin. By the time I had finished, I found the number of the remarks considerable, and the excerpts, most of them from rather out of the way books, at once so numerous and so important, that,—considering that the sale of such a volume could not reasonably be expected to be rapid, and that no probable method of interesting and enlightening

the public mind, on a question which must ere long be decided, and on the right decision of which, interests so important hang, should remain unemployed,—I formed the resolution of immediately printing them as a Supplement. When Babylon is beleaguered, the command goes forth, “SPARE NO ARROWS.”*

Should any apology, additional to that which has already been made in the words of the accomplished author of “The Pursuits of Literature,”† be counted necessary, for such numerous notes and multifarious extracts, I shall leave Dr PARR and Mr COLERIDGE to offer my excuse. “As to the Notes, which in number and size have grown far beyond my original expectation, I must content myself with stating that the additional ones suggested themselves to my mind, when revising the sheets printed off; that the matter contained in them and the preceding ones relates to subjects which I think important; that, in all probability, I will have no future opportunity for communicating my opinions on these subjects, and that I see no reason for believing even the present communication of them likely to be unacceptable to that class of readers to whose decision upon questions of criticism, politics, and ethics, I am disposed to pay the greatest respect.”‡ In making these quotations, “I please myself with the fancy now, that I have

* Jer. l. 14.

† The Law of Christ, Pref. p. xiii.

‡ Character of Charles James Fox, vol. i. p. viii. Lond. 1809.

saved, from oblivion, the only striking passage, in a whole volume, and now, that I have attracted notice, to a writer undeservedly forgotten. If this should be attributed to a silly ambition, in the display of various reading, I can do no more, than deny any consciousness of being so actuated: and for the rest I must console myself, by the reflection that if it be one of the most foolish, it is, at the same time, one of the most harmless, of human vanities.”*

It is with great satisfaction, that I have noticed the decided approbation, which has been expressed, of the sentiments upheld, in the work, “On the Law of Christ respecting Civil Obedience,” in some of the most respectable religious, and literary and political periodical journals; and that I have received, from Dissenters, both ministers and laymen, of various denominations, Congregationalists, Baptists, and Friends, as well as Presbyterians, deservedly holding the highest place in the estimation of their respective bodies, assurances of their agreement with me, in opinion, and their conviction, that the plan recommended by me is that, which, if generally adopted, gives the fairest promise of bringing to a speedy and peaceful issue the present ecclesiastical dissensions in this country, which have not only all but destroyed co-operation in the prosecution of common religious and benevolent objects, by Christians of different religious denominations, but are threatening to dissolve the bonds of ordinary intercourse in general society; and of preventing,

* Coleridge's Friend, Essay vi. Vol. i. p. 81. Lond. 1818.

what all good men must earnestly deprecate, but what all thinking men must be aware to be by no means improbable, an outburst of popular fury, provoked by the obstinate support of demonstrated oppressions and abuses,* in which, institutions of less questionable value than civil establishments of religion may be put in hazard.

The elementary principles of our civil constitution are so favourable to freedom, that no institution of an opposite character can be incorporated or even connected with it, without disturbing its working. It is a profound remark of Mr Burke, "Our constitution is not made for great general prescriptive exclusions. Sooner or later it will destroy them, or they will destroy it."† It is comfortable to think that the latter alternative, notwithstanding the occasional reflux of the wave, during the advance of the tide of improvement, is becoming every day less probable.

It is a still more consolatory reflection, that the character of the ruler of the world, "A God of truth, and without ini-

* The Corn Laws, which the men who derive advantage from them, refuse to allow to be made the subject of parliamentary investigation, and the Civil Establishment of the Episcopal Church in Ireland, are striking specimens of demonstrated oppression and abuse obstinately persisted in. It is dangerous to make the limits of endurance among a partially, and but partially, enlightened populace, the subject of too nice calculation. A mistake there may involve those who make it in rather serious consequences. Alas ! it would not involve them only.

† Letter to Sir Henry Langrish.

quity," and the principles of his moral government render it absolutely certain that no system, however excellent upon the whole, which embraces in it institutions founded on falsehood, and supported by injustice, and refuses to let them go, can be secure or permanent. "The thrones of iniquity" can have no fellowship with God. "The work of RIGHTEOUSNESS shall be peace—and the effect of RIGHTEOUSNESS, quietness and assurance for ever."*

* Psalm xciv. 20 ; Isaiah xxxii. 27.

BELLEVUE TERRACE,
May 20, 1839.

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“ We mean not to take away the authoritie of the civile magistrate to whom we wish all blessednesse, and for the increase of whose godlinesse we daily praye ; but that Christ, being restored into his kingdome, may rule in the same by the scepter of his word.”—THOMAS CARTWRIGHT.

“ There have never been wanting such as would set the magistrate on the pinnacle of the temple, and showing him all the power, wealth, and glory of the kingdoms of the earth, have proffered the Prince all, so he would be tempted to fall down and worship THEM.”*—MARVELL.

* John viii. 34.

SUPPLEMENTARY NOTES.

I.

ADMITTED DANGERS OF CHURCH AND STATE.

Foot Note, p. xxvii.—THESE dangers are very distinctly admitted by Mr Gladstone, in his elaborate defence of the English ecclesiastical establishment.—“The loss of the temporal endowments of the church, and of the national homage yet awarded to her,” is stated to be “at least within the bounds of obvious possibility.” “Probably,” says he, “there never was a time in the history of our country, when the connexion between the Church and the State was threatened from quarters so manifold and various as at present.” He styles this “the most critical period of its history,” and intimates, that “some attached members of the church are growing cool in their approbation of the connexion,”* and that “the State has given signs of an inclination towards its dissolution;” and complains that “the symptoms are ominous as well as cheering;—a lukewarmness or a timidity on the part of some high in office, deeply pledged to our institutions, or even an adoption of notions involving the seminal principle of their entire overthrow and abandonment, and preparing us to fear, that should the church become, in a secular view, less popular and strong, and should men be called to suffer for her sake, we may expect to see these notions carried out, by those who dally with them, or by their successors, to their results.” “Can we,” says he, “see the gorgeous

* Dr Burton, the Regius Professor of Divinity at Oxford, acknowledges that he had met with high churchmen who “denounced the present connexion between Church and State as an unholy union, and who felt it a solemn duty to pray for the separation.” Froude, one of the wildest of the *Via Media* men, speaks of the *Establishment* as an incubus on the country, compares its effects to the blighting influence of the Upas tree, and likens the union of the Church to the State, to “the union of Israel to Egypt.”—*Remains of the late Rev. Richard H. Froude*, vol. i. p. 405. Lond. 1838.

buildings of such an earthly Jerusalem, and the doom impending, without tears."—*The State in its Relations with the Church*, pp. 1, 2, 3, 313, 322.

There seems an unintentional fitness in these words. The earthly Jerusalem is "in bondage with her children." Enlightened Christians know that they are come to Mount Zion—"the heavenly Jerusalem." The kingdom they have received is one "that cannot be moved;" Heb. xii. 22. Her citizens never need to shed tears over her impending doom. But there is an earthly Jerusalem, which, in the Apocalyptic tongue, is called Babylon, of which it is said, that "they who have lived deliciously with her, will, standing far off for fear of her torment, say, Alas! Alas! that great city Babylon,—that mighty city, for in one hour is thy judgment come;" Rev. xviii. 9, 10. It might be well if Mr Gladstone were to inquire how far his earthly Jerusalem, with its "gorgeous buildings," is identical with the doomed city of the Apocalypse. We are afraid it forms a part of its suburbs. In that case, a speedy retreat is the most politic, as well as the most dutiful course. Our advice is that of the angel to Lot,— "Escape for thy life, look not behind thee; neither stay thou in all the plain; escape to the mountain, lest thou be consumed;" Gen. xix. 27.

Mr Gladstone is not alone in these alarms. The following remarks in a periodical, which is one of the organs of orthodox churchmen, are striking and ominous. "Every engine of assault is already called into requisition against us; spiritual wickedness in high places is predominant; the battle rages fiercely under the walls of our last stronghold; the buttresses have been removed; many a DEMAS has forsaken us; but still all have not bowed the knee to Baal—a little flock remains."—*The Christian Remembrancer*, Jan. 1839.

These doleful anticipations seem the counterpart of the Midianite's dream, Judges vii. 13, 14. Mr Gladstone meant to tell his dream only "to his fellows," for he says, p. 23, that "hardly is his argument addressed to persons in a systematic separation from our national church,"—but, like Gideon, the Voluntaries will overhear it, and as in the case referred to, the prediction is likely to lead to its own accomplishment. The crash of the pitchers, the display of the torches, and the loud and shrill blast of the ear-piercing trumpets, will follow of course,—and the panic-struck host will "run, and cry, and flee." It will not be the Voluntaries' fault, if the victory is not a bloodless one. It will be the triumph of truth—and truth, instead of enslaving those whom it overcomes, makes them "free indeed."

II.

SYNESIUS ON CLERICAL POLITICIANS.

Addition to Foot-Note †, p. 43.—There is much truth in the words of an ancient bishop, “ Πολιτικην ἀρετην ιερῶσυνη συναπτειν, το κλωθειν ἐστι τα ασυγκλωστα” (*Synesii Opera, Ep. 67*), which Jortin renders freely, “What has an ecclesiastic to do with politics?”

III.

DR HEY ON THE INTERPRETATION OF SCRIPTURE.

Foot Note to page 45, l. 3 from the foot.—A number of valuable observations on this very important subject, will be found in Dr Hey’s Lectures on Divinity, Book I. Chap. X. vol. i. p. 64. Camb. 1796. The title of the chapter is, “Of interpreting expressions of Scripture by entering into the *circumstances* of those to whom they were immediately addressed.” The whole chapter deserves to be studied. We can afford room only for one or two of the introductory paragraphs.

“Let us now suppose all the words of Scripture fixed and agreed upon; still something more than lexicons and grammars is necessary to our attaining the true and full sense of them. And that is *putting ourselves in the place* of those who spoke or heard; or what amounts to the same, interpreting words of Scripture as we would like words in common life. Some parts of Scripture are indeed lofty and sublime, and remote from common life; but I do not imagine that these have occasioned either so much controversy or so much anxiety of mind as the more familiar parts, plain narrations, dialogues, *letters*; all expressions in which, we must endeavour to understand, as we should understand similar expressions in similar compositions.

“I doubt not but this may seem an easy matter to some, on the first mention; but it is attended with considerable difficulties: at this day it requires great knowledge and great steadiness of attention. Some persons would be apt to say, if I may but interpret Scripture as I do ordinary expressions, that is all I wish for; for it is no pain or trouble for me to understand what common people say to me; I do it *without trying to do it*: This is true; popular language seems to express what it means, to those who are rightly circumstanced: but why does this happen? because each man in such case knows familiarly and *habitually* not only what the words *express*,

but what they *imply* ; but habit makes all this easy to those *who are exactly in the right circumstances*. Take a man who is ever so little out of the right circumstances, let him come from a different country, let him be of a different occupation, and he immediately wants some explanatory information ; sometimes he will see too little in the words used to him ; and sometimes too much. Not that he, who is in the right circumstances, understands rightly without numberless *acts of the mind* ; only he is not conscious of them ; any more than he is of the action of the muscles of his eyes, when he looks at objects at different distances. Hence if one *far removed* from the right circumstances wants to form a judgment how he should understand expressions, if he could put himself in those right circumstances, he must have to estimate, First, what knowledge the person rightly situated has, which he has not ; secondly, what are those acts of mind, which such persons perform habitually when he takes the words he hears rightly ; so that they really are intended to imply neither *more nor less* than he conceives them to imply.

“ This is what we should do, if possible, with the words of Scripture ; as we are far removed from the circumstances of those for whom they were calculated, we should see what knowledge the persons rightly circumstanced for understanding them, had, which we have not ; and we should analyze those acts of the mind by which they were able habitually, without being conscious of it, to give them precisely that degree of meaning which they were intended to convey. I do not conceive, that we can do this perfectly, but we may approach towards it ; it is the end at which we ought to aim.

“ The way to approach as near as possible seems to be this : to observe first how, in our own common life, words imply more or less than they express ; and then apply our observations to Scripture ; using them first to illustrate some plainer cases, in order to get them at length applied to all cases whatever. * * * * Many of us may have tried to read of the things of common life *in dead languages* ; and when we have attempted to put ourselves in the place of those, for whom they were immediately intended, in what researches have we engaged ? Grævius in twelve folio volumes, and Gronovius in thirteen, have told us many things, Roman and Grecian ; and given us many descriptions, and many opinions, on this side and that ; but still we fall far short of the knowledge which a plain citizen of Rome and Athens would have, without ever suspecting that he had any knowledge at all ; we fall far short of understanding those allusions, which such a one would make in every thing he said ; without any consci-

business that he was alluding to any thing; and would understand without being aware, that the words meant more than they expressed."

Dr Hey illustrates these remarks very happily—by giving a specimen of a letter containing an account of the county assizes at an English town—and on the supposition that it should be explained to the Chinese, or to any people 1800 years hence, our language being supposed to be a *dead* language, very justly adds, "Fifty-four dissertations might be made on this letter, such as those of Grævius or Gronovius."

On the important subject of Scriptural interpretation, the reader will do well to consult Ernesti's learned and judicious dissertations, "*De difficultatibus Novi Testamenti recte interpretandi.*"—"Pro Grammatica Interpretatione librorum, imprimis Sacrorum."—"De Vanitate Philosophantium, in Interpretatione Librorum S.S."—"De Difficultate Interpretationis Grammaticæ Novi Testamenti."—*Opuscula Philologica Critica*, pp. 198–287, 8vo. Lugd. 1776. A translation of these excellent dissertations is to be found, in that valuable collection of tracts on Biblical Literature, Professor Hodge's *Biblical Repertory*, vol. iii. pp. 93–271. New York, 1827.

IV.

HIGH CHURCHMEN CHARACTERIZED.

SAMUEL JOHNSON

Foot Note, p. 47, l. 10 *from the foot*.—"They had gotten the true art of spelling all the oppressions and devildoms in the world, out of the pregnant word king: though it is impossible to fetch more out of that word, than just what the people of England have put into it."—*Johnson's Works*, p. 294. Fol. Lond. 1713.

V.

BISHOP HORSLEY ON THE MEANING OF THE WORD "POWERS."

Addition to Foot-Note †, p. 57.—Bishop Horsley, in his Sermon before the Lords, on the Anniversary of Charles the First's *Martyrdom*, remarks on this passage, "that the word 'powers' here signifies persons bearing power: any other meaning of it, whatever may be pretended, is excluded by the context."—And, in a note, he very justly observes, that "none of these things" in the context—such as being a minister of God for good, and to execute wrath, bearing the sword, &c., "can be said of forms of government, with-

out a harshness of metaphor unexampled in the didactic parts of Holy Writ; but all these things may be said, with great propriety, of the persons governing."—*Horsley's Sermons*, p. 527. Lond. 1836.

VI.

NEW INTERPRETATION OF ROM. XIII. 1-7, BY A HIGH
CHURCHMAN.

Foot-Note, p. 58, l. 12.—A new interpretation has lately been given of these terms—"the higher powers." They have been represented as descriptive of the "ecclesiastical rulers!"—"The text," says the author, "throws its awful light over the state and prospects of the resisters, whatever their denomination may be, of God's arrangements and God's authorities. Do the mysteriously expressed punishments appear disproportionate? Disproportionate they would be, to any offence whatever against civil authorities. But civil authorities are not the subject. The offences are spiritual, and the punishments ETERNAL. The offence is resistance to the love, the wisdom, and the power of God, and the punishment is the wrath of God."—*Sword Unsheathed*, quoted by Prof. Hoppus, in his truly valuable Prize Essay "on Schism."

VII.

PAREUS ON THE MEANING OF *υπερεχουσας*.

Addition to Foot-Note *, p. 60.—Pareus (*in loco*) says tersely, "Magistratus, non mutua relatione, sed subditorum ratione, vocat *υπερεχουσας εξουσιαις*."

VIII.

CHRYSOSTOM'S ILLUSTRATION OF *πασα ψυχη*.

To be prefixed to Foot-Note ‡, p. 60.—"Καν Αποστολος ης, καν Ευαγγελιστης, καν Προφητης, καν οστι ουν—πασα ψυχη υποτασσεσθω."

IX.

CIVIL GOVERNMENT "OF GOD," AS AGRICULTURE IS "OF GOD."

Foot Note to p. 62, l. 20.—The prophet Isaiah uses, in reference to agriculture, language of equivalent meaning with that here employed by the Apostle respecting civil government. After describing the operations of husbandry, he says, "Thus also cometh forth from the Lord of Hosts, who is wonderful in counsel, and excellent in working."—*Isa.* xxviii. 29. Both agriculture and civil government

are the native results of the constitution and circumstances of man, "which come forth from the Lord," and both conducing to man's happiness are in accordance with God's will.—Ben Sirach expressly styles agriculture, γεωργίαν ὑπο ὑψίστου ἐκτισαμένην.—*Ecclus.* vii. 16.

X.

PALEY'S THEORY OF THE ORIGIN OF THE RIGHTS OF MAGISTRATES
AND DUTIES OF SUBJECTS, ANTICIPATED BY GROVE.

Foot-Note to p. 63, l. 5.—It deserves notice, that the theory of the origin and foundation, of civil power, and of the obligation of civil obedience, which Paley has so clearly expounded and ably supported, is broached and defended in an ingenious letter to the editor of the *St James's Journal*, by Grove of Taunton, in 1722. "All power," says he, "is directly from God, not by positive appointment, but as he is pleased to signify his sovereign will by the nature of things, leaving it to the choice and discretion of people, in what form, by what persons, and on what conditions, this power shall be exercised.

* * This notion differs from the popular one (Locke's and Hoadly's), in asserting God to be the immediate donor or fountain of civil power; and both from that, and the patriarchal (Sir Robert Filmer's) in this, that when searching after the will of God, it does not run back to the original, or any former state of things, but only considers in what way the general good is best promoted, and by this one consideration cuts off all other inquiries."—*Grove's Discourses, Tracts, and Poems*, Vol. iv. pp. 348, 353. Lond. 1747. This is exactly what Paley terms "THE WILL OF GOD AS COLLECTED FROM EXPEDIENCY."—*Works*, Vol. i. p. 318.

XI.

BISHOP CONYBEARE'S ACCOUNT OF HOW CIVIL GOVERNMENT IS
THE ORDINANCE OF GOD.

*Addition to Foot-Note **, p. 65.—The following is Bishop Conybeare's account of how civil government is the ordinance of God:—"The social principle was implanted in us by God himself. That constitution of things, which made these civil combinations necessary, was by him appointed, and is by him perpetually directed. The happiness attainable under the influence of civil administration, is itself intended us by God, who, approving the end, must likewise approve the means."—*Sermon before the House of Lords*, p. 15. Lond. 1751.

XII.

MILTON AND ALTING ON THE FORCE OF *αντιτασσομενος* AS OPPOSED
TO *τασσομενος*.

Addition to Foot-Note *, p. 68.—To mark the contrast referred to, Milton says, “Hæc enim duo simul contraria ponit, taxin et ataxian.” *Pro populo Anglicano defensio*, p. 85. 18mo. Lond. 1651. Alting, whose scholarship is not likely to be called in question, has the following note:—“Ὁ *αντιτασσομενος*, *qui se opponit*. Sed non satis sic expressa emphasis; ea dicit ordini *refragantem*, illi *contrarium*, ut evertatur. Quod ipsum confirmat quod diximus de legitima potestate loqui, de illa quam descripsit *ὑπο Θεου τεταγμενην*, quæ ordinem habet a Deo et imprimis *sub Deo*, hoc minorem et ea propter subditam et obsequentem Deo. Huic potestati qui non solum non paret, sed etiam ordinem alium molitur, atque cõpse, eum qui constitutus est labefactat, evertit. Est vero *alia* etiam emphasis in illa voce. Quævis inobedientia contra magistratum legitimum est *αραξια*, contra *ταξιν* institutam, uti *ανομια* quicquid fit contra legem: et Apostolus ubique *ταξιν* vult observari, 1 Cor. xiv. 40; verum non qui *αραξιν* committit, imo ne quidem qui sæpius in *ταξιν* peccat, quem *αρακτως*, vivere dicit apostolus, 2 Thes. iii. 11; est ὁ *αντιτασσομενος*, sed qui destinato consilio adversatur illi *ταξει* qua subordinatio superiorum et inferiorum constat, et agit ea quibus nova *ταξις* instituat, prior autem queat aboleri, everti, mutari.”—*Alting in Ep. ad Rom. Opera*, tom. iv. p. 94.

XIII.

PRINCIPLES OF BIBLICAL INTERPRETATION.

JOHNSON. WHICHCOTE.

Foot Note to p. 82, l. 7 from the foot.—“The Bible is a miscellaneous book, where dishonest and time-serving men may ever in their loose way find a text for their purpose; but eternal righteousness, justice, and truth, upright honesty, the right of the case, and the reason of the thing must always govern the sense of Scripture expressions.”—*Johnson's Works*, p. 270. This, though rather loosely expressed for a canon of interpretation, is substantially the truth.

“Scripture, as a rule of faith and life, is not *one* text, but *all*; the *sense* and *meaning* of Scripture is Scripture; that is not said which is

not meant.”—*Whicheote. Moral and Religious Aphorisms collected from his MS. Papers, by Dr Jeffery, Cent. v. No. 422. Lond. 1753.*

XIV.

GRAND LIMIT OF CIVIL OBEDIENCE.

TAYLOR. BASIL.

*Addition to Foot Note **, p. 83.—“When divine and human laws are opposed, these must always yield to those; and without dispute God is to be obeyed rather than man; and although we must obey man for God, we must never obey man against God; and therefore it was excellently counselled by Ben-Sirach, ‘Let not the reverence of any man cause thee to sin.’”—*Taylor’s Ductor Dubitantium*, Book iii. Chap. i. p. 443. “Laws are public mischiefs if they bind to injustice; and therefore to establish any thing that is unjust and evil is against the nature of laws, and the power of the superior, and the intendment of the Supreme. For God gives to no man power above or against himself.”—*Ibid.* Book iii. Chap. i. Rule iii. p. 449.

BASIL’S ethical maxim deserves to be quoted,—“*Δει ἐξουσιας ὑπερχουσαις ὑποτασθῆσθαι ἐν οἷς αὐ ἐντολὴ Θεοῦ μὴ ἐμποδίζῃ.*”—*Basil. in Eth. Reg. lxxix.*

XV.

BISHOP HURD ON THE NON-RESISTANCE OF THE PRIMITIVE CHRISTIANS.

Foot-Note to p. 90, l. 13.—BISHOP HURD’S remark is worthy of quotation: “How far the *general* precepts of the gospel require a passive submission and non-resistance to outrageous intolerance, whether absolutely, and in all cases, is a point of nice discussion, in which I take no part at present, because I am not making the apology of the *reformers*, but shewing the completion of the prophecies concerning the *propagators* of Christianity; and the wonder to see them so punctually completed, is not lessened, but increased, by supposing that the precepts of the gospel leave mankind to the free use of their natural rights in the case of extreme violence and injustice.”—*Hurd’s Introduction to the Study of the Prophecies*, Vol. i. p. 203, 204. Lond. 1783.

XVI.

BISHOP BUTLER ON THE FOUNDATION AND LIMITS OF CIVIL POWER.

Foot Note to p. 94, l. 1 from the foot.—Bishop BUTLER, with his characteristic wisdom, sums up the whole truth in a sentence or two. “Since men cannot live out of society, nor in it without government, government is plainly a divine appointment; and consequently submission to it, a most evident duty of the law of nature. And we all know in how forcible a manner it is put upon our consciences in Scripture. Nor can this obligation be denied formally upon any principles, but such as subvert all other obligations. Yet many among us seem not to consider it as any obligation at all. This doubtless is, in a great measure, owing to dissoluteness and corruption of manners, but I think it partly owing to their having reduced it to nothing in theory. Whereas this obligation ought to be put on the same footing with all other general ones, which are not absolute and without exception; and our submission is due in all cases but those which we really discern to be exceptions to the general rule.”—*Sermons on Public Occasions*, Ser. III. pp. 78, 79.

XVII.

ADDITIONAL NOTICE OF THE BOHEMIAN CONFESSION.

*Addition to Foot Note *, p. 99.*—I find another “Bohemian Confession,” quoted in a rare volume, entitled, “An Harmony of the Confessions of the Faith of the Christian and Reformed Churches,” p. 533. Camb. 1586. The *Christian* magistrate is in it represented as “a partaker, and, as it were, a minister of the power of the Lamb as King of kings,” and he is told, that “unless he will be transformed into that beast and hideous monster, that carrieth the beast” [whore], he must be “a defender of the ministers and people of Christ, and suffer not, so far as in him lieth, idolatrie, or the tyrannie of Antichrist.” Even this is very guarded language, in comparison of what is employed in most of the other confessions,—and if a word or two were omitted, most Voluntaries would have no objection to subscribe to it. In the catalogue of the confessions prefixed to the Harmony—this confession is described as “the last of four former, which were farre more auncient,”—and as published “in the yere 1573.” It is said to be “recited in the same order of chapters, and somewhat more plainly expressed,” than “the more auncient” creeds. In this case, as in many others, alteration does not seem to have been improvement.

XVIII.

RELIGION NOT SUBJECT TO CIVIL CONTROL.

TRIGLAND. · MARVELL.

Foot Note, p. 102, l. 3 from the foot.—"In rebus religionis, liberi parentibus, servi dominis, subditi magistratibus non subsunt, sed soli Deo, utpote in quem solum tendit omnis religio.—Non competit illis hac in parte potestas coactiva, et cum imperio conjuncta, ut nec parentes liberos nec Domini servos, nec magistratus subditos suos ad veram religionem cogere possint aut debeant, nedum ad falsam. Et ratio illius satis seipsam manifestat. Nam pietas et religio ratione nulla cogi potest, nec Deus delectatur religione coacta. Spontaneum liberum vult obsequium non coactum; et ad illud obtinendum, fidemque et pietatem animis humanis indendam, atque in illis confirmandam, aliud destinavit medium,—predicationem verbi et speciatim Evangelii filii sui simul cum spiritus sui efficacia."—*Triglandius de Potestate Civili et Ecclesiastica*, Ch. xxi. pp 444, 445. 18mo. Amstel. 1642.

"Although he who was 'Lord of all,' and to whom 'all power was given in heaven and in earth,' was nevertheless contented to come 'in the form of a servant,' and to let the emperors and princes of the world alone with the use of their dominion; he thought it good reason to retain his religion under his own cognizance, and exempt its authority from their jurisdiction. In this alone he was imperious, and did not only practise it himself against the laws and customs then received, and in the face of the magistrate; but continually seasoned and hardened his disciples in the same confidence and obstinacy."—*Marvell's Historical Essay touching General Councils. Works*, Vol. iii. p. 107. 4to. Lond. 1776.

XIX.

CONSTANTINE'S AND THEODORIC'S ASSERTION OF THE RIGHTS OF CONSCIENCE.

*Addition to Foot-Note **, p. 104.—It is a curious fact, that the doctrine that the magistrate has no right to interfere with religious opinion or worship, should be very explicitly recognised in the preamble to the first Roman law, in favour of Christianity, by Constantine and Licinius. The words are well worth transcribing:—
"Ἡδὴ μὲν παλαὶ σκοποῦντες τὴν ἐλευθερίαν τῆς θρησκείας οὐκ ἀρνήσαν

ειναι, ἀλλ' ἑνος ἑκάστου τη διανοια και βουλησει εξουσιαν δοτεον του τα θεια πραγματα τημελειν κατα την αυτου προαιρεσιν.”—*Euseb.* x. 5. “We have long considered that religious liberty is not to be controlled, but that every one is to be left to his own judgment and free will to worship according to his own choice.” Alas! how soon was this principle forgotten and disregarded, even by him who promulgated it.

A still finer expression of the truth, on this subject, is to be found in what Milman, in his edition of Gibbon, vol. vii. p. 44, calls “the golden words” of Theodoric the Ostrogoth. “To pretend to a dominion over the conscience, is to usurp the prerogative of God. By the nature of things, the power of sovereigns is confined to external government, and their right of inflicting punishment extends only to those who disturb the public peace, of which they are the guardians. The most dangerous (*ἀπεισις*) heresy is that of a sovereign who separates from himself a part of his subjects, because they believe not according to his belief.” I have not been able to verify Milman’s quotation, of what he represents as a letter from Theodoric to Justin. He says, Gibbon should have quoted those golden words. I thought so too; but I rather think I have found out the reason he did not. Milman refers to no original authority; he merely bids his reader compare *Le Beau*, Vol. viii. 68. On turning up the volume and page referred to, nothing in reference to the subject was discovered. On turning over the volume, however, I found that, in page 274, it is recorded as a saying of Theodoric, “*Nous n’avons aucun empire sur la religion, parcequ’on ne peut forcer la croyance;*” and, at p. 559, the passage, of which Milman’s words are a translation, occurs. The edition I consulted was that in 12mo., printed at Paris, 1764. Not thinking it quite safe to trust to *Le Beau*’s word, I proceeded to examine his authorities. He refers to *Cochlæi vita Theodoricæ*. On examining this book, I could find no trace of “the golden words.” He refers to *Fleury*. The reference is inaccurate; and nothing like the passage quoted is to be found anywhere in that historian. He refers to *Theodoret*; but as his history ends at a period antecedent to Theodoric’s birth, it would be unreasonable to expect any account of the golden words there. *Evagrius* mentions Theodoric, but says nothing about this letter to Justin. He refers to *Cassiodorus*, the cotemporary, friend, and secretary of Theodoric, and his references are particular.—Lib. i. Ep. 27; Lib. iv. Ep. 53; Lib. v. Ep. 37. The second of these references is to an epistle that does not exist. In the other two there is nothing at all to the purpose. We have looked through the whole twelve books of *Cassiodorus*’ “*Varie*,” but have failed to

discover any traces of the precious sentences; and in the copious index added to the Benedictine Edition of Cassiodorus, the name Justin does not appear. Jortin, who was very likely to have quoted such a passage, if he had known of it, though he notices Theodoric's tolerance, makes no mention of it. After all this fruitless labour,—Gibbon's omission of "the golden words," ceased to appear to us remarkable. We rather think the historian was somewhat more difficult to please than his annotator, as to authorities. Le Beau would not satisfy him; and it is not unlikely he made the same fruitless search that we have done. Our dislike of second and third-hand authorities has not been lessened by this lost labour.

XX.

ARCHBISHOP ARUNDELL AND A WYCLIFFITE ON PERSONAL RESPONSIBILITY.

Foot-Note p. 106, l. 16.—Archbishop Arundell seems to have had no scruple in offering such security as he could give of this kind. "A prelate," said he to the Wycliffite, "will bidde his subject do nothing, but that he will answere for before God, that it is lefull, and then, though the biddinge of the prelate be unlefull, the subject hath no perill to fulfille it, syns that he thinketh and judgeth that whatsoever thing his prelate biddeth him doe, that it is leful to him for to do it." Most will be of opinion that the honest Wycliffite gave the right reply. His narrative of it is very naïvé: "And I said, Sir, I truste not hereto."—*State Trials*, Vol. i. Fol. Lond. 1719. *Fox's Acts and Monuments*, vol. i. p. 701. Fol. Lond. 1641. Vol. iii. p. 273. 8vo. Lond. 1837.

XXI.

GENERAL DISSATISFACTION A PROOF OF MISGOVERNMENT.

To be added to Foot-Note †, p. 111.—"When men tell us that an enlightened people are refractory, that they will not contribute their proportion of taxes; that at the hazard of their lives, by the sword or the halter, they oppose and seek to subvert the government, and this for a succession of years; they tell us with a moral certainty, that they feel oppression,—some real invasion of their rights and liberties; for no other causes ever did or ever will produce a general and permanent opposition in the whole body of a people towards their governors."—*Cartwright's Letters on American Independence*, p. 17. Lond. 1775.

XXII.

THE RIGHT AND DUTY OF CHRISTIANS TO DEFEND THEIR CIVIL RIGHTS.

GLAS.

Foot-Note to p. 112, l. 2, from the foot.—"Christ's subjects on this earth are members of those societies, that have power to defend themselves by the sword, and he has allowed them to do their duty in their stations and callings in them, and his grace will make them more faithful and conscientious in the duties of their stations and callings in those kingdoms.

"As violence offered to the consciences of men is one of the greatest injuries, so in all associations for defence by the sword, this ought to be attended to, and all men have a right of defence in the kingdoms of this world, from violence offered to their consciences in matters of religion. This right is by no means refused to those kingdoms by the Lord Christ. Antichrist is the great invader of the liberty of mankind in this matter. He is furnished with worldly power, and he uses it unto this purpose. Where he prevails, tyranny, as in other respects, so especially in this, hath taken place, and men are enslaved this way; but in Protestant kingdoms and commonwealths there is some more freedom, and the subjects of Christ enjoy that liberty, in common with others in those kingdoms, where this natural right of mankind is in any measure defended. Thus far hath the earth helped the woman; and this is properly the Protestant cause, so far as the sword, and the power of the kingdoms of this world is concerned in it. And, upon this ground, stands the revolution fully warranted, as it concerns religion."—*Glas' Testimony of the King of Martyrs*, Ch. iii.—*Works*, Vol. i. pp. 91, 92.—Edin. 1761.

XXIII.

THE PEACE OF SOCIETY ENDANGERED, NOT BY DISSENTERS BUT BY HIGH CHURCHMEN.

Foot-Note, p. 117, l. 5.—Words, originally written in 1791, with a slight alteration, accurately describe the present state of affairs. "If the State be in any danger, it is not from the opinions of Dissenters, either in religion or politics, but from the bigotry, the false zeal, and intolerance of high-flying Episcopalians" (the Presbyterian churchmen are now nearly as zealous and intolerant), "to which the downfall of both Church and State in the last age is to be ascribed,

more than to any other cause whatsoever."—*Sir George Colebrooke—Letters on Intolerance, Letter II. p. 241. Lond. 1791.*

XXIV.

RAPHELIUS ON *φopos*.

Foot-Note, p. 123, l. 15.—Raphaelius (*Annotat. Phil. Tom ii. p. 286*), referring to a passage in Herodotus, where the phrase used here by the Apostle is employed (*lib. i. p. 73. Lat. 1592*), remarks, "Utroque loco apparet *φopov* dici *quidquid magistratui solvitur propter munus publicum, quo fungitur.*"

XXV

ALTING ON THE REFERENCE OF *πασι*.

*Addition to Foot-Note *, p. 123.*—Altingius (*Jac.*) takes the same view of it: "Si *πασι* de hominibus intelligatur, erit hic generalis regula justitiæ, quæ valet quoad omnes et singulos homines:—Sin agatur de superioribus, complectetur omnia officia quinto precepto mandata: sin denique de potestate, quod quidem poscit argumentum Apostoli et antecedentia hujus capitis, tum comprehenduntur quotquot in eminentia sunt, et potestatem habent."—*Alting in Epist. ad Rom.—Opera, Tom. iv. p. 114. Amst. 1686.*

XXVI.

AUGUSTINE ON THE LIMITS WITHIN WHICH TRIBUTE AND OBEDIENCE ARE OBLIGATORY.

*Addition to Foot Note *, p. 141.*—Augustine's words well deserve to be quoted. In one of his sermons, he represents a heathen magistrate as saying to a Christian: "Solve tributum, esto mihi in obsequium." The Christian replies, "Recte: sed non in idolio. In idolio prohibet." "Quis," rejoins the magistrate, "quis prohibet?" The Christian's answer is, "Major potestas. Da veniam: tu carcerem, ille gehennam minatur."—*August. de Verbis Domini, Sermo. VI.*—These words seem fairly to warrant the inference, that the Christians felt that the "major potestas" equally prohibited them, "solvere tributum," and "esse in obsequio," to pay tribute equally as to yield obedience in offering sacrifice "in idolio."

XXVII.

THE RIGHT AND DUTY OF ALL MAGISTRATES TO ESTABLISH WHAT
THEY THINK THE TRUE RELIGION.

GLADSTONE.

*Addition to Foot-Note **, p. 149.—The justice of this conclusion has been admitted by one of the latest and ablest advocates for civil establishments, though the cautious manner in which he expresses himself shows that he feels himself on rather dangerous ground:—"If a Mohammedan conscientiously believes his religion to come from God, and to teach divine truth, he must believe that truth to be beneficial, and beneficial beyond all other things to the soul of man; and he must therefore, and ought to desire its extension; and to use, for its extension, all proper and legitimate means; and if such a Mohammedan be a prince, he ought to count, among those means, the application of whatever influence or funds, he may lawfully have at his disposal for such purposes."—*Gladstone's The State in its Relations to the Church*, Ch. ii. p. 36. Lond. 1833. This is only following out to its fair consequences his fundamental principle, that "the State is a moral person, and, of course, has a conscience which makes it cognisant of religious falsehood and truth, sin and duty," pp. 37, 39.—This monstrous dogma will surely not go down with rational churchmen. How would Warburton and Paley have laughed it to scorn! Our modern churchmen are, however, great adepts at straining at gnats and swallowing camels. But this is an elephant, or rather a megatherion of an antiquated world. Surely they will never be able to bolt this. No, no, it cannot go down.

The absurdity of Mr Gladstone's dogma is ably exposed in an article in the *Edinburgh Review*, which general report ascribes to T. B. Macaulay, Esq. "Surely this is a hard saying. Before we admit that the Emperor Julian in employing his power for the extinction of Christianity, was doing no more than his duty,—before we admit that the Arian Theodoric would have committed a crime, if he suffered a single believer in the divinity of Christ to hold any civil employment in Italy—before we admit that the Dutch government is bound to exclude from office all members of the Church of England; the King of Bavaria to exclude from office all Protestants; the Great Turk to exclude from office all Christians; the King of Ava to exclude all who hold the unity of God—we think ourselves entitled to demand

a very full and accurate demonstration. Where the consequences of a doctrine are so startling, we may well require that its foundations shall be very solid."—*Edin. Rev.* vol. lxix. p. 238.

XXVIII.

DRS INGLIS' AND CHALMERS' COMPARISON OF THE ESTABLISHED CLERGY TO CONSTABLES, ANTICIPATED.

*Addition to Foot Note **, p. 172.—I was amused to find the denomination, bestowed by Dr Inglis on his order, in sober seriousness, to serve a purpose—employed, in bitter sarcasm, by one of his predecessors among the champions of moderation, to serve a purpose also. In a work entitled, "*The Religious Establishment in Scotland examined upon Protestant Principles*," published in London 1771, the author, who is understood to have been the late Dr M'Kenzie of Portpatrick, in reply to the argument of the orthodox, or wild party, against the favourite scheme of the moderates of that day, to abolish subscription,—that subscription was the law of the land,—sneeringly remarks, "An Act of Parliament is certainly the foundation, and a very *sure* one it is, of every monopoly as well as this. The parliament has given a certain society an exclusive patent, annexing such and such emoluments to the teaching, preaching, and maintaining such and such tenets as are therein specified. I say again, this reasoning must be unanswerable; for if it were not, it would not be so frequently made use of by the leaders, that is, the *wisest men* of all churches, as we find it is. It was only to be wished that these unanswerable advocates for subscription, who abhor nothing so much as dissimulation in matters of religion, would give us one little additional specimen of their sincerity by altering certain *terms* which have insensibly crept into their reasonings on this subject; and instead of talking concerning ministers, spiritual concerns, christian communion, &c. &c., say, in plain words, so as unlearned people may understand them, 'That Jesus Christ has rendered a piece of good service to civil society by furnishing government with an useful corps of constables to keep the peace of the country.'" Pp. 86, 87. How curious that leading men of both parties in the church of Scotland, should now apply to their order with the utmost complacency an appellation, which sixty years ago was considered as so discreditable, that it was considered as answer sufficient to an argument that it implied the applicability of such a denomination to the clergy. But the American and French Revolutions, the Reform Bill, and the Voluntary controversy, were all then

in the darkness of futurity. Had the author possessed the gift of prophecy, he would have been more cautious.

I know nobody who has gone so far in pleading for the clergy on this ground as Bishop PARKER, in his preface to Bramhall. "Put the case the clergy were cheats and jugglers, yet it must be allowed that they are necessary instruments of state, to awe the common people into fear and obedience, because nothing else can so effectually enslave them as the fear of invisible powers, and the dismal apprehensions of the world to come; and for this very reason, though there were no other, it is fit they should be allowed the same honour and respect as would be acknowledged their due if they were sincere and honest men."—*Quoted by Marvell in the Rehearsal Transposed. Works*, vol. ii. p. 219. 4to. Lond. 1776.

XXIX.

NON-OBEDIENCE AND RESISTANCE—DIFFERENT THINGS.

Addition to Foot Note *, p. 176.—"Aliud est non parere quam resistere."—*Beza in Confessione fidei Christianæ*, cap. v. Shadrach, Meshach, and Abednego, refused to obey Nebuchadnezzar's edict to worship the golden image, but they made no resistance. Daniel refused obedience to Darius' decree, but neither did he resist.

XXX.

WETSTEIN ON MATTHEW XXII. 16-22.

Foot Note, p. 182, l. 16.—The "Quæstio Vexata," respecting the payment of tribute to the Roman imperial government, deeply interested the Jews, and its agitation had produced a variety of opinions. To apply the language of Cicero:—"Multi dubitabant quid optimum esset: Multi quid sibi expediret: Multi quid deceret: Nonnulli etiam quidliceret."—*Cic. pro Marcel.* c. 10. Wetstein's note puts the dilemma in which the pharisees hoped to place our Lord, in a very clear point of view. "Si pro Romanis diserte pronunciasset, civium suorum et discipulorum animos a se alienasset: 'Adhuc putatis hunc esse Messiam regem et liberatorem Judæorum qui vos servituti Romanorum addicit? hunc veracem esse et personam hominum non spectare, qui in solitudine, in campis et vicis et apud plebem, in publicanorum exactiones, et principum vitia invehitur, in urbe vero, ubi libertas et veritas ipsi periculum crearet, dominis adulatur?' Si vero contra Romanos pronunciasset, imo si vel verbum dixisset, quod eo spectare poterat videri, ipsum tanquam seditionis auctorem potestati præsidis tradidissent.—*Luc. xx. 20. xxiii. 2.*"

XXXI.

CHRYSTOSTOM ON MATTHEW XXII. 16-22.

Foot Note, p. 183, l. 15.—Chrysostom's note deserves to be quoted. "Cum vero audis reddenda Cæsari quæ sua sunt, illa solum dici, non dubita, quæ pietati ac religioni nihil afficiunt. Nam quod fidei ac virtuti obest, non Cæsaris, sed Diaboli tributum ac vectigal est."—*Hom. 71. in Matth.*

XXXII.

DE MARCA ON MATTHEW XXII. 16-22.

Addition to Foot-Note *, p. 183.—De Marca's argument on the other side is very lame. "Interrogatio enim Christi, 'quibus Reges terræ accipiant tributum?' satis evincit didrachmum illud pertinuisse ad functiones publicas, non autem ad capitationem illam sacram semi sicle, seu didrachmi, quæ quotannis Templo inferenda erat ex lege Mosis."—*De Concordia*, lib. ii. c. v. tom. i. p. 69. A more complete *non sequitur* cannot well be conceived. It is impossible to make a coherent argument on this principle, even though it were admitted that there was a capitation tax by the Roman government—and that that tax was a *διδραχμον*. On the other hand, the facts are ascertained that there was an annual temple tax—and that that tax was half a shekel, or a *διδραχμον*. Josephus repeatedly speaks of the tax by this name. (*Antiq.* lib. xviii. chap. iv. § 1. *De Bell. Jud.* lib. vii. chap. vi. § 6.) And these facts lay a foundation for a conclusive argument, which our Lord's words very naturally express.

XXXIII.

TEMPLE TRIBUTE PAID BY JEWS EVEN IN FOREIGN COUNTRIES.

Addition to Foot Note *, p. 184.—This temple tribute appears to have been paid even by Jews residing in foreign countries. To this annual payment, there seems a reference in the two following passages from Cicero and Tacitus. "Aurum, Judæorum nomine, quotannis ex Italia, et ex omnibus vestris provinciis Hierosolymam exportari solet."—*Cic. pro Flac.* 23. "Quisque, spretis religionibus patriis, tributa et stipes illuc (*i. e.* ad Hierosolymam et templum) congerebant."—*Tacit. Hist.* lib. v. cap. 5, p. 535. Amst. 1665.

XXXIV.

JOHNSON AND CORN. A LAPIDE ON MATTH. XXII. 22.

Foot-Note, p. 185, l. 18.—"Render unto Cæsar the things which are Cæsar's," neither makes a Cæsar, nor tells who Cæsar is: but only requires men to be just in giving him those supposed rights, which the laws have determined to be his."—*Mr Samuel Johnson's Works*, p. 152. Folio. Lond. 1713.—Instead of enjoining the payment of church-taxes, the passage seems to intimate, that Cæsar ought not to interfere with *τα του Θεου*. "Christus hic," says the learned Jesuit, Cornelius a Lapide, "tacite monet Cæsares et principes ut suis contenti, Dei et Ecclesiæ negotiis sese non ingerant."—*Comm. in quatuor Evang.* p. 414. Alas! that the tacit admonition has been so little attended to! The period of silent monition will come to a close. "THEN shall He speak to them in his wrath, and vex them in his sore displeasure."—"BE WISE NOW, THEREFORE, O YE KINGS, BE INSTRUCTED YE JUDGES OF THE EARTH."—*Psal. ii. 5, 10.*

XXXV.

ON THE HONOUR DUE TO THE MAGISTRATE.

WATSON—GLAS.

Foot-Note, p. 187, l. 21.—"Let no one suppose that he honours his prince when he flatters his follies, or shuts his eyes to his faults, or ministers to his vices, or misleads his councils by adulatory compliances with his passions or his prejudices. This is the kind of honour, by which bad men take possession of the hearts of weak princes, undermine the virtue of the best, insinuate themselves into places of confidence and profit, keep at a distance from the throne its true supporters, ridicule with impudent buffoonery honest men, laugh in the presence of their prince at public virtue, and riot in the ruin of their country or their king. This is the kind of honour by which Charles the First unhappily lost his life, and James the Second lost his crown; it is the offspring of the subject's iniquity, and it is the parent of the prince's tyranny; for there had never been a bad prince, but for the flagitious flattery of bad subjects. The true honouring of a prince consists in a conduct diametrically opposite to this; in confining the established prerogative within the ancient limits; in repressing, too, the licentious attempts of factious men to diminish it; in speaking the truth to him, with reverence, indeed, but with firmness; in run-

ning the risk of his displeasure, by warning him against measures oppressive to the nation, and ultimately destructive to himself; in persuading him that he can have no interest different from that of his subjects; and that the safety and glory of his crown is best confided, not to a rotten system of corruption, but to the uninfluenced support of an enlightened, a brave, and a loyal people.

“ But besides this species of honour, which none but the more immediate servants of the crown, or the more distinguished members of the community, can have an opportunity of showing to their princes, there is another kind of it, which extends to the subjects in general, and which is briefly comprised in the scriptural precept, ‘ Thou shalt not speak evil of the rulers of thy people.’ The strength of government is principally built upon the opinion which subjects entertain of the sovereign’s authority; and he who, to serve a party, or to forward his interest with an ambitious leader, endeavours, by false insinuations, and licentious misrepresentations, to render government odious or contemptible, is guilty of a great transgression against this duty of honour.”—*Bishop Watson’s Sermon on Rom. xiii. 3, 4. Sermons and Tracts, Pp. 94–96. Lond. 1788.*

“ When our interests are connected with them who are in authority, we wish the government well; but when we stand connected with the discontented, out of power, and pushing to be in, we are, from the same principle, as ready to wish ill to our rulers, and more disposed to curse than to bless them. In this we have an example set us by the clergy, the greatest flatterers of rulers, that serve them with their power to crush their adversaries, and to maintain their pretended spiritual, but really carnal rights and privileges. For such rulers they can pray heartily, and zealously preach up subjection to them; but when princes have showed them neglect, or wanted any way to reduce them, or bring them a little under, they have as zealously prayed and prophesied against them, as wicked men, and enemies to the church, sanctified evil speaking of them, and turned rebellion into a point of religion. If ‘ the power that is,’ seems in any instance to strike at the independence of the National Church, or Established Clergy; and if that power show itself higher than they, as to the privileges of their Establishment, we see how they rage and cry out of wrong, and some of them go the length of boding ill upon it, if not to the King, to the King’s minister, wishing him Haman’s fate.”—*Glas’s Second Fast Sermon, 1741. Works, Vol. ii. p. 478. Edin. 1761.*

XXXVI.

CONNEXION BETWEEN CIVIL ESTABLISHMENT AND PERSECUTION.

EMLYN. PARRY.

Foot-Note, p 189, l. 13.—"It must be with great difficulty that any Established Church can avoid being a persecuting one; for there is no Establishment but by laws, no laws without sanction, sanctions imply penalties threatened,—these are nothing if they are not executed,—and this for religion is persecution."—*Emlyn's Tracts*, Vol. i. p. cxxxviii. Lond. 1746.

The fact that persecution originates in the civil establishment of religion, is at once stated and accounted for, in the following admirable passage:—"Wherever men's temporal prosperity, honours, and emoluments, have been connected with an Established religion, they have had another interest to support, separate from the interest of truth and virtue, and which they have often supported by means inconsistent with both. This has been a common defect running through all human religious establishments of every kind. If idolatry had not been the established religion of the Roman empire, it would not have persecuted the primitive Christians. But the heathen priests were solicitous to crush the harmless disciples of Jesus, lest the truth they taught should, in its influence, destroy their temples, their idols, and their gain together. If Constantine had not made a civil establishment of Christianity, he would not have employed persecuting measures against the Pagans. But interest then required, that idolatry should be suppressed by force, lest the temples should be restored, and the revenues of the church impaired. If the orthodox and heterodox, under the following emperors, had not each in their turn sought the patronage of the State, and endeavoured to establish their own party, they would not alternately have persecuted one another. Zeal for the establishment of their own tenets and influence, first led professing Christians to shed the blood of one another. The same cause continued in after times to produce the same effects. If Popery had not been established through Europe, the Albigenses, and Valdenses, and Lollards, would not have been persecuted. A fear that their pure principles and practice would in time weaken the authority of the Pope, and lessen the influence and riches of the priesthood, roused the thunder of the Vatican, and darted the lightning of ecclesiastical vengeance on these unhappy sufferers. Not the love of virtue but of power and riches kindled the

flames of persecution in Europe. The Marian persecution had the same origin. Not pure and savage cruelty, but a dread lest the principles of the Reformation should regain their influence in the kingdom, and the power and wealth of the Popish clergy be lost, gave birth to those sanguinary measures, which brought the venerable Latimer, and a host of other pious witnesses, to the stake. Happy would it have been, for the credit of all Protestants, if similar causes had not operated among them. But if Episcopacy had not been established, the reign of Elizabeth had not been disgraced by the persecuting laws against the Puritans; nor Fox, the learned and laborious Martyrologist, been neglected, to poverty and want, because of his scruples, as to the habits, while his Acts and Monuments were ordered to be read in the churches. If Presbyterianism had not been established by the Long Parliament, they would not have persecuted the adherents of Episcopacy, nor would those who had just emancipated themselves from oppression, have become immediately oppressors in their turn. If the present Establishment had not been made under Charles the Second, and uniformity of faith and worship imposed upon all persons, the sanguinary laws afterwards made, had not existed, nor peaceable and pious men been fined and imprisoned, impoverished and destroyed, for worshipping God according to their consciences."—*Parry's Thoughts on such Penal Religious Statutes as affect the Protestant Dissenters*, pp. 39–42. Lond. 1791.

XXXVII.

PARAPHRASE OF ROMANS XIII. 1–7. ON THE PRINCIPLES OF PASSIVE OBEDIENCE AND NON-RESISTANCE.

BISHOP HOADLY.

Foot-Note, p. 139, l. 31.—The utter inconsequence of the apostle's reasoning on the principles referred to, is very happily exposed in the following extract from *Bishop Hoadly's Measures of Submission*, pp. 45–47.

“Verse 1.—Let every soul be subject to the higher powers; for there is no power but of God: the powers that be, are ordained of God.

“Whereas some men of turbulent and seditious spirits, may be apt to imagine that there is no subjection due to magistrates, but only when they answer the end of their institution, and promote the public happiness; I give it in charge to you all who are Christians, to pay an entire and hearty subjection to magistrates, though acting never so contrary to the end of their office, and manifestly destroying the

public happiness. For they received their power from God, and were ordained of Him, on purpose to consult and promote the public happiness.

“ *Verse 2.*—Whosoever therefore resisteth the power, resisteth the ordinance of God : and they that resist shall receive to themselves damnation.

“ From whence it is plain, that whosoever opposeth and resisteth the magistrate (though opposing the will of God, and acting contrary to the end for which he was ordained of him), opposeth the ordinance and will of God. For it is by God’s authority that he acts contrary to God’s will ; and when God ordained him to his office, he gave him a divine commission to bear him out in the destruction of public happiness, and in bringing about the public misery. And they that resist and oppose him, though in the most manifest instances of violence and oppression, must expect God’s anger, as acting contrary to the ordinance of God, even whilst they oppose one who acts contrary to his will.

“ *Verses 3, 4.*—For rulers are not a terror to good works, but to the evil. Wilt thou then not be afraid of the power ? Do that which is good, and thou shalt have praise of the same ; for he is the minister of God to thee for good. But if thou do that which is evil, be afraid ; for he beareth not the sword in vain : for he is the minister of God, a revenger to execute wrath upon him that doeth evil.

“ For in confirmation of what I have been saying, I must tell you that these rulers, to whom I am pressing an unlimited submission, as well when they oppress the best of their subjects, and encourage the worst, as when they lay waste the public happiness, as when they consult and promote it, are not a terror to good works, but to the evil ; and are executing an useful office in the world. And if you have a mind to rid yourselves of all dread of the magistrate, in all cases whatever, here is an effectual way of doing it. Behave yourselves well ; and you may be sure of his encouragement, whether he act agreeably to his office or no ; for he is appointed under God for your protection and advantage. But if you do that which is evil, you will certainly feel his anger, even though he be one who encourageth all that is evil : For he is appointed under God to punish such as do evil.

“ *Verse 5.*—Wherefore ye must needs be subject, not only for wrath, but also for conscience sake.

“ This being a true account of magistrates, that they act by God’s

authority, even in those instances in which they oppose his will, and that they have his commission to show, even whilst they are destroying the happiness of the people committed to their care, for which happiness only they were appointed of God; it manifestly follows that you are in conscience bound patiently to submit to their will in all things, though to the ruin and misery of yourselves, and of the generations which are yet unborn. Or thus:

“ Since, therefore, magistrates are appointed by God for so good a work; to promote the welfare and happiness of humane society; it follows from hence, that even when they destroy the public happiness, you are obliged in conscience patiently to submit yourselves to their will.

“ *Verse 6.*—For for this cause pay you tribute also; for they are God’s ministers attending upon this very thing.

“ For for this very same cause that you are obliged in conscience to pay tribute, and taxes to them, whether they destroy the public happiness, or not; because they are the ministers of God, whose business it is continually to attend upon, and consult the public happiness.

“ *Verse 7.*—Render therefore to all their dues; tribute to whom tribute is due, custom to whom custom, fear to whom fear, honour to whom honour.

“ It being therefore evident, that magistrates are appointed by God to so good a work; to be a terrour to the evil; and an encouragement to the good; and to be continually attending to promote the public happiness; it appears from hence to be your duty to pay them that tribute and honour, which is due to them on the account of their office, whether they execute their office or no; nay, though they act contrary to the end of their institution, and turn the greatest tyrants and enemies to the peace and happiness of their people.”

XXXVIII.

GENERAL PRECEPTS OFTEN TO BE UNDERSTOOD WITH LIMITATIONS.

JAMES HALDANE. HARTWELL HORNE. ALPH. TURRETINE.

Foot Note, p. 201, l. 15 from the foot.—“ Many general precepts must be understood, with some limitation, and this does not imply that these precepts are not sufficiently plain. Language is imperfect; and with the help of a little ingenuity, we might adduce plausible arguments to prove that from its imperfection it could be of no great

utility. We might allege the various meanings attached to the same word, and many other peculiarities, which we might affirm must preclude the possibility of attaining certainty in regard to what is written or spoken. But, in fact, language does convey our meaning with sufficient precision for every practical purpose; and, in like manner, while general precepts must frequently be understood, with some limitation, the commandments delivered in Scripture are by no means obscure or difficult to be understood."—*Haldane's Strictures on Walker's Primitive Christianity*, Letter VI. p. 59. Edin. 1820.

Dr Hartwell Horne, in his useful Introduction to the Critical Study and Knowledge of the Holy Scriptures, lays it down as a canon for the interpretation of the moral parts of Scripture, that "many precepts are delivered generally and absolutely, concerning moral duties which are only to be taken with certain limitations."—*Horne's Introduction*, Part II. chap. x. vol. ii. p. 744. Lond. 1822.

Turretine, the younger, lays down "the Canon" on this subject, with his usual accuracy and terseness. "Multa, de rebus moralibus, generaliter et absolute dicuntur, quæ secundum quid, et certis cum limitationibus, duntaxat sumenda sunt."—*De Sacra Scriptura Interpretatione*, Part II. cap. viii. *J. A. Turretini Opera*, tom. ii. p. 123. Quarto. Leovard. 1775.

XXXIX.

THESIS OF BISHOP PARKER'S ECCLESIASTICAL POLITY.

*To be inserted at l. 3 of Foot Note *, p. 205.*—"The grand thesis" of this elaborate volume is, "that it is necessary to the peace and government of the world, that the supreme magistrate of every country should be vested with a power to govern and conduct the consciences of subjects in affairs of religion,"—"an assertion so obvious and harmless," according to its author, "that never any people in the world had so little brains or so much forehead as to deny it to all intents, but only the salvage Anabaptists of Germany," and which even after the thorough exposure which both the thesis and its author met with from the patriotic member of parliament for Hull, he with a characteristic bragadocio air, declares himself ready to "maintain against Hungary, Transylvania, Bohemia, Poland, Savoy, France, the Netherlands, Denmark, Sweden, Scotland, Geneva, Germany, Charing-Cross, Lincoln-Inns Fields, Grub Street, Pin-maker's Hall, J. O., and yourself, and any one man more, I care not though it be the sturdy Swiss."—*A Reproof to the Rehearsal Transposed*, pp. 9, 274. Lond. 1673.

It was not without reason that Dr Owen (who, though he seldom indulges in sallies of wit, shows that he had a keen sense of what was ludicrous, as well as a clear apprehension of what was false), says of Parker, "He has brought in the magistrate booted and spurred, and armed *cap-a-pie*, into the church of God, and given all power into his hands to dispose of the worship of God, according to his will and pleasure; and that not with respect to outward order only, but with direct obligation on the consciences of men. . . . Some of the old Irish have a proverbial speech among them, that if Christ had not been Christ when he was Christ, Patrick had been Christ. But it seems now, that taking it for granted that Christ was Christ, yet we have another that is so also; that is, lord over the souls and consciences of men; and what can be said more of him, 'who sits in the temple of God, and shows himself to be God.'"—*Truth and Innocence Vindicated by John Owen, D.D.*, pp. 107, 109. 8vo. Lond. 1670.

XL.

CHEERFUL OBEDIENCE ESSENTIAL TO CHRISTIAN DUTY.

Foot-Note, p. 217, l. 8.—I am not the broacher of the heresy, "that nothing is christian duty, which is not cheerfully performed." Quesnel, who was the very antipode of a Jesuit, has very distinctly stated it in his *Notes on the Gospels on Matth. xxii. 22.*—"Respect, submission, dependence, and obedience to sovereign princes, as to whatever is temporal, being part of the divine law, we cannot pay them as we ought, in the sight of God, but by doing it heartily, and on the principle of love."—*The Four Gospels, with a Comment and Reflections, by Pasquier Quesnel*, vol. i. p. 294. Bath.—Neither Quesnel nor I, however, can claim the honour of originating this strongly denounced sentiment. That, I believe, belongs to him who plainly teaches, that obedience to masters is then only christian duty, when it is done "heartily, as to the Lord, and not unto man."—Col. iii. 23.

XLI.

GLAS ON THE REFERENCE OF *πρεσβευομεν*. 2 COR. V. 20.

Foot Note, p. 225, l. 11 from the foot.—The impropriety of applying the word *πρεσβευομεν*, 2 Cor. v. 20, to ordinary christian teachers, is very fully and satisfactorily proved by Glas, in his *Use of Catechisms further Considered. Works*, vol. iii. pp. 157-166. Edin. 1761.

XLII.

SCRIPTURAL USE OF THE WORDS CLERGY AND CHURCH.

LEIGHTON. PENN. CHANDLER. MARVELL.

Foot Note, p. 225, l. 1 from the foot.—The New Testament clergy (*κληροὶ*), are not the ministers, but the people; 1 Pet. v. 3. “All believers,” as Archbishop Leighton justly observes, “are Christ’s clergy.”—*A Practical Commentary on the First Epistle General of St Peter*. Vol. i. p. 307. Quarto. York, 1693.

“There is but one place to be found in the Holy Scripture, where the word *κληρος* can properly be applied to the church, and they have got it to themselves; from whence they call themselves the *Clergy*, that is, the inheritance or heritage of God. Whereas Peter exhorts the ministers of the gospel ‘not to be lords over God’s heritage, nor to feed them for filthy lucre.’ Peter (belike) foresaw pride and avarice to be the ministers’ temptations; and, indeed, they have often proved their fall; and, to say true, they could hardly fall worse. Nor is there any excuse to be made for them, in these two respects, which is not worse than their sins. For if they have not been ‘lords over God’s heritage,’ it is because they have made themselves that heritage, and disinherited the people: so that now they may be the peoples’ lords, with a salvo to good old Peter’s exhortation.”—*Penn’s No Cross, No Crown*, Part i. chap. xii. § 9, p. 145. Lond. 1762.

“The words clergy and church—*κληροὶ* and *ἐκκλησία*, are never once used in Scripture to denote the bishops or other officers, but the christian people. St Peter (1 Pet. v. 3) advises the presbyters to ‘feed the flock of God, and to exercise the episcopal office willingly, not as lording it over the heritages,’ or clergy of God. And St Paul, writing to the Ephesians (Eph. iv. 11), and speaking of their privileges as Christians, says, that ‘by Christ they were made God’s peculiar lot,’ or heritage, or clergy. In like manner, the body of Christians, in general, and particular congregations in particular places, are called the church, but the ministers of the gospel never in contradistinction to them.* It is of all believers that St Peter gives that noble description that they are ‘a spiritual house, an holy priesthood, to offer up spiritual sacrifice; a chosen generation, a royal priesthood, a holy nation, and a peculiar people,’ or a people for his *περιποιήσις*, his peculiar heritage, or purchased possession, as

* That is a question still *sub lite*.—J. B.

the word is rendered, Eph. i. 14. So that, to be the Church, the clergy, and the sacred priests of God, is an honour common to all Christians in general by the gospel charter. These are not the titles of a few only, who love to exalt themselves above others."—*Chandler's History of Persecution*, Book iv. Sect. 7. p. 406. Hull, 1813.

"The clergy, in the true and apostolical sense, were only those whom they superciliously always call the laity; the word *clerus* being never but once used in the New Testament, and in that signification, and in a very unlucky place too, 1 Pet. v. 3, where he admonishes the priesthood that they should not 'lord it, or domineer over' the christian people, 'clerum Domini,' or 'the Lord's inheritance.'"—*Marvell's Essay touching General Councils*. Works, Vol. iii. p. 150. 4to. Lond. 1776.

XLIII.

HIGH CHURCH PRETENSIONS EXPOSED.

To be inserted p. 227, l. 15.—In the first tract of the Series of "Tracts for the Times," which is an address of a clergyman to his brethren, on their ministerial commission, we have the following most arrogant and impious language. "We have been born not of blood, nor of the will of the flesh, nor of the will of man, but of God. The Lord Jesus Christ gave his Spirit to his apostles: they, in their turn, laid their hands on those who should succeed them; and these again on others; and so the sacred gift has been handed down to our present bishops, who have appointed us as their assistants, and in some sense representatives. The grace of ordination is contained in the laying on of hands; we have confessed before God our belief, that through the bishop who ordained us we have received the Holy Ghost, the power to bind and to loose, to administer the sacraments and to preach."—*Oxf. Tracts*, No. I. pp. 2, 3.

In succeeding tracts, statements, if possible, still more startling occur:—The Church of England, by law established, is declared to be, "THE ONLY CHURCH IN THIS REALM WHICH HAS A RIGHT TO BE QUITE SURE THAT SHE HAS THE LORD'S BODY TO GIVE TO HIS PEOPLE."—*Oxf. Tracts*, No. 4, p. 5. "A person not commissioned by the bishop may use the words of baptism, and sprinkle or bathe with the water *on earth*, but there is no promise from CHRIST that such a man shall admit souls to *the kingdom of heaven*. A person not commissioned may break bread and pour out wine, and pretend to give the Lord's Supper, but it can afford no comfort to any to receive it at his hands, because there is no warrant from CHRIST to lead communicants to suppose that while he does

so here *on earth*, they will be partakers of the *Saviour's heavenly* body and blood. And as for the person himself, who takes upon himself without warrant to minister in holy things, he is all the while treading in the footsteps of Korah, Dathan, and Abiram."—*Oxf. Tracts*, No. 35, pp. 2, 3.

This charge on the part of the Anglicans, is a very curious example of the tendency of blinded men, to reproach others with what they themselves are notoriously guilty of. If the crime of Korah can be committed under the New Testament dispensation, which we do not question, we know none to whom it can be brought so clearly home as the Popish and High Church English clergy. There is but one Priest, in the strict sense of the term, under the New Economy—the antitype of Aaron and all his sons—the substance of which they were the shadow—and if there be any meaning in the expressions “remitting and retaining sins—the communication of the Holy Ghost—the giving men the heavenly body and blood of Christ—the imparting to them the Trinity”—these Anglicans, as well as their papistical brethren, have invaded the office of “the High-priest of our profession.” The truth of the charge is abundantly made out by that very assumption of the sacerdotal character, that lays the foundation of the calumnious charge against a class of men, who claim no higher name than that of pastors and teachers, and who would not accept the fearful responsibility connected with an intrusion into the place of Him who is “a priest for ever after the order of Melchizedek,” for all the honour and power which the mitre of Canterbury, or the triple crown of Rome brought their possessors, in the age of Becket or of Hildebrand.

Palmer, in his elaborate “Treatise of the Church of Christ, designed chiefly for the use of Students in Theology,” has the following remarks, which we leave to the digestion of the Presbyterian admirers of “the venerable hierarchy of England.” “The Presbyterians of Scotland were innovators . . . Their opinion was erroneous, but had it merely extended to a preference for the presbyterian form, it might have been in some degree tolerated: it would not have cut them off from the Church of Christ; but it was the exaggeration of their opinion: their separation for the sake of this opinion, their actual rejection of the authority and communion of the existing successors of the apostles in Scotland, and therefore of the Universal Church, in all ages, that marks them out as schismatics; and all the temporal enactments and powers of the whole world would not cure this fault, nor render them a portion of the Church of Christ . . . With

regard to all the other sects in Scotland which have seceded from the Presbyterian community . . . the same observations apply to them all. Their predecessors, the Presbyterians, voluntarily separated themselves from the Catholic Church of Christ, and they, in departing from the Presbyterian communion, have not yet returned to that of the true Church. Consequently, they form no part of the Church of Christ.”—Vol. i. Part i. Ch. iv. § 2; Ch. xii. §§ 1, 3; and Part ii. Ch. i.

Cambridge, too, numbers among her sons—some thorough high churchmen. The rector of Charlton, who boasts of being a Cambridge man—after quoting, in imitation of a living archdeacon (Wilkins), the following passage from *Morinus de Ordinationibus Maronitarum*. “The most High God came down to Mount Sinai, and consecrated Moses; Moses laid his hands on Aaron; Aaron upon his sons; his sons successively on those that followed them until John the Baptist; John the Baptist laid his hands upon the Saviour; our Saviour upon his apostles; his apostles on the bishops that succeeded them; and they ever since on those who are admitted into holy orders,” goes on to say, quite in the Betty style, “In this, brethren, there is something inexpressibly grand; absolute actual contact with the God of all the earth at Mount Sinai; conveyed down to us through the person and office of our faithful and merciful High Priest, Jesus the Mediator of the NEW COVENANT; AND DOES ALL THIS GO FOR NOTHING?” Indeed, if we believe himself, it does not go for much, for in the very next page we meet with these words, “Having about us all the marks of apostleship, episcopal call, ‘laying on of hands,’ and apostolical mission, *we want but the unction of the Holy One*, in answer to your prayers, to make our ministrations applicable to your case; and so to you, to make us fit for the ministry of the altar we be called upon to serve.”—*The Church, The Bishop, Or Korah, Which? Two Sermons, by Frederic A Glover, Rector of Charlton*, pp. 72–74. Lond. 1838. This gentleman seems no fonder of the Scottish Establishment than his Oxonian brothers, Betty and Palmer. He gives it no better name than “the Scottish Schism,” and declares its members “practically excommunicated” by the episcopal witness—who has all along been in the midst of them representing the true church, p. 71.

Well might John Walker say, “Apostolical succession, in the high church sense of the phrase, is indeed a fiction so monstrously absurd, that it might excite laughter, if it were not so monstrously profane, that indignation rather must predominate in the Christian who considers it;” and well might the late Archbishop of Cashel, Dr Lawrence,

one of the most learned prelates who have lately adorned the Episcopal Bench, complain, "In our days it has happened that the sacerdotal functions of our clergy, derived in regular succession from the Apostles themselves, have been singularly magnified; and the consequent danger of non-conformity, placed in a point of view in which our ancestors would have feared to place, and have been startled to contemplate, it."—*Charge to the Clergy of the Diocese of Cashel and Emly*, p. 20. Dublin. 1822.

We understand that the author of "The Natural History of Enthusiasm," is engaged in an elaborate refutation of the Oxonian heresies, or rather hallucinations. We regret that his excellent talents and valuable time should be so wasted. The proper answer to these modern Monks, is that which, an ancient chronicler tells us, a Friar of 'the olden time' made to certain 'monitiones' of his Prior: "Et frater Solomon de Ripple ad monitiones dicti Prioris respondit sic dicendo, TRUFELES, TRUFELES, TRUFELES."*—An equally appropriate, and still more laconic reply, might be made in Mr Burchell's (*Vicar of Wakefield*) emphatic monosyllable—FUDGE.

XLIV.

ADDITIONAL REASONS WHY CHRISTIANS SHOULD ATTEND TO POLITICS.

To be added, p. 228, l. 16.—The observations which follow are from the pen of an Episcopal clergyman:—"If you mean by politics the exercise of violent party spirit—the eager seeking of place or power—the pandering either to the great or to the little—there is no need to keep religion and politics apart; they are of necessity so apart that Omnipotence itself could not join them together. But if you mean by the term politics all that relates to the government of a nation, to the ordering and conducting its affairs (and this beyond question is its true meaning), then to say that religion has nothing to do with politics, is in effect, or virtually to say, that religion has nothing to do with the affairs of the nation. It is to assert, that national affairs are those affairs in which men are engaged as beings independent of God, accountable to him neither here nor hereafter. And what affairs I would ask are these? and where are such men to be found?"—*The Voter's Duty*, by the Rev. Thomas Davis, Curate of All Saints, Worcester.

It is a sharp, but a deserved rebuke, administered by an able jour-

* An old English word for trifles.

nalist to a certain class of Dissenters. "The want of political spirit,—of public principle, among too many members of Dissenting churches, who are well off in the world, and wish to stand well with other parties, is resolvable into nothing better than an Antinomian selfishness."—*Patriot*, Jan. 3, 1839. Our Seceding forefathers used to give this temper the characteristic designation "detestable neutrality."—"Not to be a politician in these days, not to be religiously observant of our political duties as citizens, is to be a traitor to those principles which are identified with the advancement of Christ's kingdom, and to that cause which is the last and best hope of the world."—*Eclectic Review*, Jan. 1839, p. 40.

The following words of that thoroughly honest friend to liberty, Major Cartwright, form an appropriate conclusion to this note:—"Politics is a word of wide extent, applying, indeed, to whatever relates to the ordering of society, and the well-being of a community; wherefore it were next to an impossibility that any two men, respecting all such matters, should perfectly agree; although in first principles, on which all the rest depends, such a perfect agreement is natural to men of sense and integrity, who have paid an ordinary attention to the science of politics.

"Religion and politics, although of most importance to men, are the only two subjects on which corrupt rulers, by their laws, forbid free discussion, impose false and absurd creeds, and, by arts and frauds, endeavour to mislead a people. No wonder, then, that the well meaning become so perplexed, as not perfectly to agree on these subjects.

"Religion and politics are, however, much more nearly allied than is commonly imagined, and, indeed, I cannot consider politics in any other light than as [a part of] practical religion, and pre-eminently so under the christian dispensation. It is one of the vile arts of corruptionists, to talk of religion and politics as being without affinity."—*Cartwright's Memoirs*, vol. ii. p. 216. Lond 1826.

XLV.

MR HUME'S OPINION OF THE POLITICS NATURAL TO THE CLERGY AND DISSENTERS.

Foot-Note, p. 229, l. 18.—Mr Hume, who is the apologist of arbitrary power, and who, of all kinds of ministers of religion, hated an endowed clergy least, seems to have been quite aware of this. "The Established clergy," says he, "while things are in their natural situa-

tion, will always be of the court party ; as, on the contrary, Dissenters of all kinds will be of the country party ; since they can never hope for that toleration which they stand in need of, but by means of our free government. All princes that have aimed at despotic power have known of what importance it was to gain the Established clergy ; as the clergy, on their part, have showed a great facility in entering into the views of such princes."—*Hume's Essays*, Part i. Ess. ix. Vol. i. p. 67. 8vo. Edin. 1804.

XLVI.

CLERICAL SYCOPHANCY EXEMPLIFIED.

Page 229, l. 18 from the foot.—Seldom have the terms of the compact been so honestly acknowledged, as in a Memorial offered to Queen Elizabeth, and afterward to King James, entitled, "Reasons to induce Her Majesty, that Deans, Archdeacons, and some of the grave and wise Clergie may be admitted into the Lower House of Parliament." "In the meantime," say these most-loyal and submissive clergy, "her Majesty shall be sure of a number more in that assembly, that ever will be *most ready to maintain her prerogative*, and to enact whatsoever may make most for her Highness's safety and contentment, as the men that next, under God's goodness, *do most depend upon her princely clemency and protection.*" It was a fortunate circumstance for the liberties of the nation, that the Queen thought her authority too firmly established, to require the support of these shameless sycophants.—Vide *Luder's Reports*, Vol. ii.—*Burnet's Hist. of Reform.* Vol. ii.

XLVII.

MISTAKEN INTERPRETATION OF ROM. XIII. 1-7, BY THE FRIENDS OF CIVIL FREEDOM.

JAC. DE PARADISO. WARBURTON. ROBINSON.

To be introduced at the head of page 232.—JACOBUS DE PARADISO, one of the Precursors of the Reformation, in his tract "De Septem Statibus Ecclesiæ," published about 1449, commenting on the words—"there is no power but of God—he that resisteth the power, resisteth the ordinance of God,"—remarks more ingeniously than soundly, "Ponit inquam in abstracto [potestas] non in concreto [potens] quia potens potest esse non a Deo, sed officium potestatis semper justum est, quia ordinatum secundum regulas Dei, rationabiliter institutum, licet potens ea abutitur. Ideo Deus dicit per Oseam : 'Ipsi regnaverunt

et non, ex me,' &c. Et dicit Christus Pilato: 'non haberes in me potestatem ullam, nisi tibi data esset desuper.' Potestas igitur justa erit—sed ille ea abutebatur injuste Christum condemnando. Unde subdit Paulus 'Qui potestati resistit Dei ordinationi resistit.' Non dicit, Qui potenti in concreto resistit abutenti sua potestate, Deo resistit: imo talis sic resistens contraria Deo præcipienti, non Deo resistit, sed ei se conformat."—*Appendix ad Fasciculum Rerum Expetendarum et Fugiendarum.* Edit. Ed. Brown, p. 109. Lond. 1690.

To be introduced before line 2 from the foot, p. 232.—WARBURTON says, "When we are bid by the Apostle Peter to 'honour the king,' we must conclude he previously supposes, that we have had the courage to procure for ourselves such a constitution, as establisheth a king worthy of honour. . . . When he bids us honour the king, he must needs mean a legitimate magistrate, in opposition to a lawless tyrant, so contrary to the true spirit of gospel liberty. And St Paul, where he exhorts men to civil obedience, defines this lawful magistrate to be one who 'beareth not the sword in vain,—a terror not to good works but to the evil—a minister of God to us for good—an avenger to execute wrath upon him that doeth evil,'—the very description of our own constitutional monarch."—*Warburton's Principles of Natural and Revealed Religion, Opened and Explained*, Vol. ii. Appendix, Ser. i. pp. 13, 14. Lond. 1754.

ROBINSON, of Cambridge, says wittily, as he is wont, but certainly not accurately, "The Apostle speaks in the text of government, not governors, of a good civil government, and the non-resistance enjoined is limited to the subject of which the Apostle speaks. This is the true key of the thirteenth of the Romans, and with this the whole period 1-7 softly opens to the hand of a child."—*Sermons on Particular Occasions*, p. 23. Lond. 1804.

XLVIII.

REASON WHY THE APOSTLES SO OFTEN INCULCATED THE DUTIES OF CIVIL OBEDIENCE.

BISHOP WATSON.

To be inserted before l. 11 from the foot, p. 234.—"About six years before St Paul wrote to the Christians at Rome, the Emperor Claudius had banished the Jews from that city, for raising continual tumults against the state, 'impulsore Chresto.' Of this event Paul must have had circumstantial intelligence from Aquila and Priscilla, with whom he lodged at Corinth, and who had left Italy on this very ac-

count. It is not an easy matter to say what Suetonius meant by the expression ‘impulsore Chresto.’ Some (*Dr Lardner’s Collection of Ancient Testimonies*, Ch. viii. *Works*, Vol. iii. p. 618) have thought, that the enmity of the Jews against those of their own country, who had embraced Christianity, had produced some disturbances, which, coming to the Emperor’s knowledge, occasioned their expulsion; others (*Powell’s Discourses*, Discourse x. p. 157. Lond. 1776) have supposed that the historian alludes to the success which attended the first promulgation of Christianity at Rome, and the consequent desertion of the established system of Polytheism; to me it seems most probable, that the Jews, in becoming Christians, had shown a disposition to rebel against government, from the notion of Jesus, as the Anointed of God, being the long-expected Prince, who was to overcome the Romans and redeem Israel. Christ, indeed, was ascended into heaven; but those who had proposed the question to him, ‘wilt thou at this time restore the kingdom to Israel?’ had been told that he would so come in like manner as they had seen him go into heaven; and this declaration might easily be interpreted by the prejudices of the Jews, into an expectation sufficient to excite the jealousy of the Roman state. It was a received maxim among the Jews, that the Messiah should free them from the Roman yoke; this was the principle by which many false Christs were continually exciting tumults in Judea: it was the same expectation which induced the Jews, some fourteen years after their banishment from Rome by Claudius, to begin that rebellion, which ended in the destruction of their city and their civil polity; and it does not appear an unreasonable conjecture to suppose, that the same opinion had operated in the same manner upon the minds of those who acknowledged Jesus to be the true Messiah. Be this as it may, we are certain, at least from the testimony of Josephus (*Antiq. Lib. xviii. C. 1*), that the whole nation of the Jews had become infected with the seditious principles of Judas the Gaulonite; who, in the reign of Augustus, had excited no inconsiderable tumult in Judea; and every where taught the people doctrines, till then unheard of amongst them, that it was not lawful to acknowledge submission to any earthly governor, the Lord Jehovah being their only Lord, or to pay tribute to the Romans. St Paul, in his Epistle to the Christians at Rome, consisting of Jews and converted Gentiles (who considered themselves as ‘partakers of the root and fatness of the olive-tree,’ into which they had been grafted; as acquiring a title to all the real or fancied privileges of the commonwealth of Israel), seems to have had a particular view to the re-

futing the tenets, that Judas had broached, which the whole nation had embraced, and for an adherence to which, probably, the Jews and Christians had been banished the city"—*Sermons on Public Occasions, and Tracts on Religious Subjects*, pp. 88, 89. 8vo. Lond. 1788.

XLIX.

BISHOPS USHER'S AND SANDERSON'S METHOD OF RECONCILING
PAUL AND PETER.

To be added to Note IX. p. 241.—Archbishop USHER does not succeed better, in his long and elaborate attempt to shew that ἀνθρώπινη κτίσις must signify something else than “human institution.”—*Power of the Prince, and Obedience of the Subject*, pp. 3–12. 8vo. Lond. 1688.

Bishop SANDERSON, in his attempt, manifests the good plain common sense which generally characterises his writings, and succeeds better than Sherlock with all his ingenuity.—“St Paul saith, ‘The powers that be are ordained of God,’ and yet St Peter calleth the magistracy ‘a human ordinance.’ Certainly the Holy Spirit of God, which speaketh in these two great Apostles, is not contrary to itself. The truth is, the substance of the power of every magistrate is the ordinance of God; and that is St Paul’s meaning; but the specification of the circumstances thereto belonging, as in regard to places, persons, titles, continuance, jurisdiction, subordination, and the rest, is, as St Peter termeth it, ‘a human ordinance,’ introduced by custom or positive law.”—Quoted in *Mant and D’Oyley’s Commentary*, 1 Peter iii. 13.

L.

AUTHORITIES FOR DIVIDING THE APOSTLE’S REASONS FOR CIVIL
OBEDIENCE.

LIMBORCH. THOLUCK.

To be inserted before l. 9 from the foot, p. 247.—“Posset hæc,” says LIMBORCH, “quis referre ad pœnam divinam, quam incurrunt seditiosi et magistratui rebelles, quale exemplum habemus in Dathan et Abiram, Num. xvi., et in Absolone, 2 Sam. xvii. 14. Sed si consideremus sequentia, ubi dicitur quod magistratus gladium non gestat frustra, præstat id interpretari de pœna quam magistratus juxta leges legitimi regiminis rebellibus infligit.”—*Limborch. Comment. in Act. Ap. et in Epp. ad Rom. et Heb.*, p. 479. Fol. Rot. 1711.

To be added at the end of the note, p. 249, l. 4.—THOLUCK remarks, “The expression intimates, as a consequence of the very order of

things, that every insurrection brings along with it its due punishment.”—*Menzies’ Translation of Tholuck’s Exposition of the Epistle to the Romans*, Vol. ii. p. 392. Edin. 1836.

LI.

BLACKSTONE ON THE EXCELLENCE OF THE ROMAN LAW.

To be added to Note XIV. p. 250.—“A knowledge of it,” according to BLACKSTONE, “is useful as well as ornamental, to the scholar, the divine, the statesman, and even the common lawyer.” “In most of the nations on the continent, where the civil or imperial law under different modifications is so closely interwoven with the municipal laws of the land, no gentleman, or, at least, no scholar, thinks his education complete, till he has attended a course or two of lectures both upon the institutes of Justinian and the local constitutions of his own soil, under the very eminent professors that abound in their several universities. And in the northern parts of our own island, where also the municipal laws are frequently connected with the civil, it is difficult to meet with a person of liberal education, who is destitute of a competent knowledge in that science which is to be the guardian of his natural rights, and the rule of his civil conduct.”—*Blackstone’s Commentaries*, Introd. § 1, p. 4. So far as the knowledge of civil law is concerned, things in Scotland are not so well as they were eighty years ago.

LII.

VALLA ON THE INCONGRUITY OF CIVIL WITH ECCLESIASTICAL POWER.

Foot-Note, p. 262, l. 20.—In a curious tract of Laurentius Valla, entitled, “*De falso credita et ementita Constantini donatione*,” edited by Ulric Hutten, the learned and witty author of that most cutting satire on monkish ignorance and licentiousness—“*Epistolæ Obscurorum Virorum*,” he, on the supposition that secular power had been offered by the emperor to the bishop of Rome, puts into Silvester’s mouth sentiments somewhat like those which Mr Walker, with more verisimilitude, has ascribed to the bishops and deacons of the church at Philippi. “*Nostra potestas est potestas clavium regni cælorum. Nihil ad hanc potestatem, nihil ad hanc dignationem, nihil ad hoc regnum adjici potest. Quo qui non contentus est, aliud sibi quoddam a Diabolo postulat, qui etiam Domino dicere ausus est, ‘tibi dabo omnia regna mundi, si cadens in terram adoraveris me.’ Quare*

Cæsar, cum pace tua dictum sit, noli mihi diabolus^{*} effici, qui me regna mundi a te data accipere jubeas. Malo enim illa spernere quam possidere. Et ut aliquid de infidelibus, sed ut spero futuris fidelibus loquar, noli me de Angelo lucis reddere illis Angelum tenebrarum, quorum corda ad pietatem inducere volo, non ipsorum cervici jugum imponere, et gladio, quod est verbum Dei, non gladio ferri mihi subijcere, ne deteriores efficiantur, ne recalcitrent, ne cornu me feriant, ne nomen Dei, meo irritati errore, blasphement. Filios mihi charissimos volo reddere non servos: adoptare non emere: generare non manucapere: animas eorum, sacrificium offerre Deo, non Diabolo corpora. ‘Discite a me’ (inquit Dominus) ‘qui mitis sum et humilis corde. Capite jugum meum et invenietis requiem animabus vestris: Jugum enim meum suave et pondus meum leve.’ Cujus ad extremum, finem faciam: illam in hac re sententiam accipe, quam quasi inter me et te tulit. ‘Reddite quæ sunt Cæsaris Cæsari, et quæ sunt Dei Deo.’ Quo fit, ut nec tu Cæsar tua relinquere, neque ego quæ Cæsaris sunt accipere debeam, quæ vel si millicies offeras nunquam accipiam.”—*L. Vallæ in donationem Constantini declamatio in Ortuini Gratii Fasciculo rerum expetendarum et fugiendarum, edit. Edw. Brown, p. 138. Folio. Lond. 1690.* For writing the tract of which the above is an extract, and some other rather free exposures of papal impostures and abuses, the very learned author, who may be accounted one of the precursors of the Reformation, was punished by banishment from Rome—of which city he was a patrician. He died in 1457.

LIII.

DR OWEN ON THE LEGITIMATE SPHERE OF CIVIL PUNISHMENTS.

To be inserted after line 7, p. 266.—“The warrant of exercising vindictive power among men, is from the reference of offences to their common tranquillity. ‘Delicta puniri, publici interest.’ Where punishment is the debt, ‘bonum totius’ is the creditor to exact it.”—*Owen’s Sermons, p. 291. Fol. Lond. 1721.*

LIV.

DE MARCA ON THE DESIGN OF CIVIL GOVERNMENT.

DE MARCA.

“Regium imperium quietem publicam, Episcoporum sollicitudo felicitatem æternam hominibus procurat, testante Apostolo. Reges

secularibus, pontifices spiritualibus ordinandis se impendunt. Quamdiu neutra potestatum in alienos limites insiliet, mutua concordia res Christiana amplificabitur. Soli Principi potestas in hæc terrena et temporalia imperandi asseritur, ut Ecclesiæ sacra et spiritualia procurandi. . . . Observandum est, sententiam meam abesse a Fortunii Garciae opinione, qui eundem esse legum civilium, et canonicarum finem contendit, adeo ut legi civili non solum propositus sit finis promovendæ tranquillitatis publicæ sed etiam veræ æternæque felicitatis civibus procurandæ. Hoc enim præcipuum est discrimen inter canonum decreta et leges publicas, quod illa unicuique Christiano felicitatem æternam parent, et ad eum finem instrumenta accommodata subministrent; hæc vero reipublicæ pacem, et singulorum civium—quatenus sunt partes reipublicæ, promoveant. . . . Ecclesiastica potestas seu respublica Christiana, quæ sub nomine Ecclesiæ sæpe explicatur, eam significat clericorum et laicorum collectionem, qui in unum corpus adunati, ecclesiasticis legibus se subjiciunt: non quidem quatenus homines civilem rempublicam componentes sed quatenus in spiritualem cœtum admissi. Eadem ratione civilis respublica dici potest quæ vel ex infidelibus principibus et rebuspublicis constat, vel quæ ex Christianis hominibus quidem, sed nullo ad religionem respectu habito componitur.”—*Petrus de Marca de Concordia Sacerdotii et imperii seu de libertatibus Ecclesiæ Gallicanæ*, l. ii. c. 1. l. ii. c. 10. l. ii. c. 1. tom. i. pp. 47, 81. Fol. Paris, 1669.

These enlightened views respecting the proper and exclusive design of civil government, and the entire distinctness of the State and the Church, are found in the able work of De Marca (“the wisest divine,” according to Warburton, “whom the French nation has ever produced:” “a man,” as Atterbury says, “excellently well read in this debate, and of abilities equal to his reading”), whose title has just been transcribed. It was composed at the request of Cardinal Richlieu, and published 1641. To propitiate the pope who was offended at some portions of the book, he made an unmanly retraction of the unpalatable sentiments. A short while before his death, he ordered his secretary Baluze to supply the omissions, and expunge the retractions he had made, and the work was published in its original state soon after his decease, 1669. The best edition is that in six volumes 4to. Bambergæ, 1738. It is enriched with the learned and liberal Bohmer’s “*Observationes*,” and the “*Annotationes*” of Fanianus. The epigrammatic epitaph, written on his death, immediately after his nomination to the archbishopric of Paris, may amuse the reader:—

“ Cy git l'illustre DE MARCA,
 Que le plus grand des rois marqua,
 Pour le Prelat de son Eglise :
 Mais le mort qui le remarqua,
 Et qui se plaint à la surprise,
 Tout aussi-tot le demarequa.”

LV.

BISHOP ATTERBURY ON THE DESIGN OF CIVIL GOVERNMENT.

ATTERBURY.

To be inserted before the quotation from Whiston, p. 266.—“ The civil and spiritual powers are distinct in their end and nature ; and therefore ought to be so in their exercise too. The one relates to the peace, order, health, and prosperity of the man in this life, as a sociable creature ; the other concerns his eternal state, and his thoughts, words, and actions preparative thereto. The first is common to all societies, whether pagan or christian ; the latter can rightly be exercised among Christians only ; and among them, not as enclosed within any civil state or community, but as members of a spiritual society, of which Jesus Christ is the head ; who has also given out laws, and appointed a standing succession of officers, under himself, for the government of this society. And these ministers of his did actually govern it, by these powers committed to them, for near three hundred years, before any government was christian. From whence it follows, that such spiritual jurisdiction cannot be in its own nature necessarily dependent on the temporal ; for then it could never have been lawfully exercised till kings, states, and potentates became christian.”—*Atterbury's Letter to a Convocation Man, concerning the Rights, Powers, and Privileges of that Body*, pp. 17, 18. Lond. 1697.

LVI.

THE ASSOCIATE SYNOD'S DISAPPROBATION OF THE EXERCISE OF CIVIL POWER IN RELIGION.

To be added to Note XX, p. 276.—The Associate (Antiburgher) Synod, so early as the year 1761, gave utterance to the following most scriptural and liberal sentiments. In the year 1759, a motion was made by one of their number, and afterwards insisted on in the years 1760 and 1761, that they should apply to the King for the redress of some religious grievances, and petition him to interpose his power in behalf of religious reformation. This motion being delibe-

rately considered, and reasoned upon, was laid aside with the consent of the whole Synod, except the original mover, and one other member; and in the record of the reasons for laying it aside are these truly memorable words:—"The apostles, in all the course of their ministry, made no such application to these (civil) powers. They never called in the assistance of the secular arm, against the prevailing abominations; whatever advantages they had for doing so, from the universality of their commission, and from the miraculous powers with which it was accompanied. Our Lord did not see meet to make choice of that secular way, for promoting the interests of his kingdom."—*Gib's Display*, vol. ii. p. 242. *Allan on the Power of the Civil Magistrate in Matters of Religion*, p. 12. Edin. 1807. *McKerrow's History of the Secession*, vol. i. pp. 349-352. Edin. 1839.*

In 1796, in consequence of a reference from the presbytery of Edinburgh, originating in Mr, afterwards Dr McCrie, refusing to take the formula without a judicial explication on the head of the powers of the civil magistrate, the Synod unanimously passed an act, declaring, "That as the Confession of Faith was at first received by the Church of Scotland, with some exception as to the power of the civil magistrate relative to spiritual matters, so the Synod, for the satisfaction of all who wish to know their mind on this subject, extend that exception to every thing in the Confession, which, taken by itself, seems to allow the punishment of good and peaceable subjects, on account of their religious opinions and observances;" declaring moreover, "that they approve of no other means of bringing men into the church, or retaining them in it, than such as are spiritual, and were used by the apostles, and other ministers of the word, in the first ages of the christian church; persuasion not force; the power of the gospel not the sword of the civil magistrate."—*Allan*, p. 13. *McKerrow*, vol. ii. pp. 45-48.

LVII.

COMMANDS OF THE MAGISTRATE BEYOND THE LIMITS OF HIS OFFICE, NOT OBLIGATORY.

MR SAMUEL JOHNSON.

To be added to Note XXI, p. 276.—"A constable represents the king's person, and in the execution of his office is within the purview

* The Secession Church may well be congratulated on the completion of this valuable record of her origin, progress, and present state. It places the industry, candour, and sound judgment of its author in a most favourable light. The narrative is clear and full—and the spirit is christian and catholic.

of the thirteenth of the Romans, as all men grant: but in case he so far pervert his office, as to break the peace, and commit burglary or robbery on the highway, he may and ought to be resisted."—*Johnson's Works*, p. 152.

These are the words of Mr not Dr Samuel Johnson. Never were two men, bearing the same name, more decidedly distinguished by their principles, than these two Samuel Johnsons: Both churchmen, but the first a very low and liberal, the second a very high and bigotted, churchman—the first a revolution Whig—the second a Jacobite Tory. Mr Samuel had an opportunity of proving the value he attached to his principles, by becoming a confessor, and all but a martyr. He had the honour of being "sometime chaplain to the Right Honourable William Lord Russel," and seems to have imbibed his patron's spirit. For his exertions in the cause of truth and liberty, this learned and exemplary divine was repeatedly imprisoned, the second time, for more than five years, degraded from the order of priesthood, exposed three times in the pillory, and publicly whipped from Newgate to Tyburn. When speaking to a friend of the execution of this last part of his sentence, he stated, "that the text of Scripture, 'He endured the cross, and despised the shame,' coming suddenly into his mind, so much animated and supported him in his bitter journey, that had he not thought that it would have looked like vain glory, he could have sung a psalm while the executioner was doing his office, with as much composure and cheerfulness as ever he had done in the church; though, at the same time, he had a quick sense of every stripe that was given him with a whip of nine cords knotted, to the number of 317." "This," says his biographer, "was the more remarkable in him, as he had not the smallest tincture of enthusiasm." His collected works were published by subscription, in a folio volume, after his death, 1713. Some of his tracts have been republished singly.

LVIII.

INCONGRUITY OF CIVIL-RELIGIOUS LEGISLATION.

FOSTER.

"Let modest Foster, if he will, excel
Ten metropolitans in preaching well."—POPE.

"A person of eminent character and abilities."—BISHOP LOWTH.

To be taken in after l. 18, p. 284.—"There is another inquiry still behind, the greatest and most momentous of all, and reaching in its consequences, far beyond the utmost period of all civil societies, and

the dissolution of the world itself, viz. ‘What is the just extent, and what are the boundaries of the magistrates’ power, with respect to religion and the rights of conscience?’ And here I believe it will appear that he neither has, nor can have, from God, from nature, from the people, or from the peculiar reason and design of his office, any authority at all.

“In all affairs of *justice*, and as to many other branches of moral conduct, he has, indeed, an undoubted right to interpose; nay, to enforce these which are likewise eternal laws of heaven, and indispensable parts of true religion by the sanction of civil laws. But why? Not at all as they are *religious*, but merely as they are necessary *social* virtues; or rather, and to speak more properly, not even as they are *virtues*, religious or social, but as outward acts, or courses of public behaviour requisite to the order and regular support of government. The exterior, the overt act of fidelity and equity will fully answer all civil purposes, whether it proceed from virtue in the heart, or only from fear and worldly interest. And civil authority, like all other authority, being of necessity bounded by the ultimate view and end of it; to stretch it farther must be tyrannical violence and usurpation. It may, indeed, enjoin some things which religion enjoins, but from motives entirely different: It may comprehend within the true scope of it, what *ought* also to be matter of conscience, yet have no right to interfere in the least degree, so far as they *really are* points of conscience; and that this is the just state of the case, the following considerations will, I hope, clearly demonstrate:—

“First, In matters merely religious, God is and must be the sole legislator. No creature can without great pride and presumption, pretend to fix what are the general terms of acceptance with him; or so much as to determine any thing, about public forms of belief or worship, without leaving conscience absolutely free and uncontrolled. Religion is a law to the heart; chiefly indeed urged and enforced on the internal powers of human nature. But can the magistrate take cognizance of inward principles or intentions? Can he reward inward virtue, or punish the inward temper and habit of vice? of both which it is impossible that he should be rightly informed. The power that can neither give sure infallible laws, nor secure the efficacy and operation of its laws, nor in one case out of ten thousand, distinguish between the guilty and the innocent, can have no pretence to the character of a power instituted and ordained by God.

“And this utterly dissipates and destroys all the claims of civil government, to interfere in the concerns of religion and conscience, ci-

ther in essentials or circumstantial; in the imposition of things necessary or indifferent. For as soon as scruples and doubts arise about things deemed to be, or which are really in their own nature, indifferent, they immediately become matters of conscience. And therefore even in such cases, the magistrates' authority must be nothing, unless it be unlimited and absolute in all instances: To assert which, would be to abolish reason, conscience, and integrity altogether, and to exclude the government of God himself.

"For it is a most certain truth, that if the magistrate has a right to make laws and ordinances respecting religion, God can have no right. Because, between a power omniscient, and a power limited, weak, and fallible, there can, in innumerable great and important cases, be no concurrence or harmony of rule. So that if God be rejected, from being the sole monarch of the whole religious world, the consequence must be no government, no religion at all, but the giving up mankind to the loose and arbitrary sway of error, capriciousness, and violence.

"Again, as the magistrate in the religious world (which is most strictly and unalterably God's kingdom), has no claim to be a law-giver; as he is entirely unqualified for the enacting proper laws, for an impartial administration of justice, and effectual support of government—this equally evinces that he has neither from nature, nor the positive will of the Supreme Being, nor from the consent of the people (the most solemn sacred sources of all government), a right to set himself up as an interpreter of divine laws; or to frame creeds, or articles to be universally subscribed, and assented to, as a standard of faith or as articles of peace, or to qualify for higher emoluments and honours in society.

"For the law of nature declares, that with respect to acts of real virtue, offices relating to God, and transactions for eternity, the rank of the lowest and meanest subject is upon an exact level with the pride and ostentation of the greatest princes; that kings are to be judged not as men have *raised*, but as God *created* them; not by the accidental privileges of their high station, but by the general laws of human nature, adapted to their peculiar circumstances.

"But further. As the eternal law of nature strongly remonstrates against civil authority in matters of conscience, both in enacting new and in explaining the old laws of religion; so likewise does revelation, for it describes God as 'the only potentate, as alone searching the hearts,' and 'trying the reins of the children of men,'* and ca-

* 1 Tim. vi. 15; Jer. xvii. 10.

pable of 'rendering' to every one 'according to his deeds ;'* as the original source of power from whom all government is derived, and to whom it is accountable. And Christ himself, the last great restorer and founder of true religion, that was to continue unrepealed and unalterable to the end of time, has expressly declared, that 'his kingdom is not of this world ;† and, consequently, that the doctrines of religion ought not to be established, nor the rules of it enforced, by worldly terrors and rewards. Besides, if the magistrate be invested with this absolute right of interpretation, he must have an equal, if not a superior power, to the maker of the law : I say a superior power, because the law is nothing but according to his sense and explanation ; which (unless his skill in moral politics is equal to that of God, the original legislator), will be often, if not generally, a perversion of the law. And this must subject not only the doctrines of revealed religion, but the eternal principles of reason and nature to be altered, corrected, or depraved by ignorance, craft, or ambition.

" Besides, who are more unqualified than the supreme magistrates have been in almost all countries and ages of the world, to give judgment in religious controversies ? controversies which, in the general, they never studied ; of which they are almost entirely ignorant ; about which, as points of real religion, they have very little concern, being, for the most part, trained up in voluptuousness and want of thought ; and which they are under strong temptations to pervert (if they did, by a kind of miraculous and supernatural inspiration, understand them rightly), to vile secular purposes.

" Suffer me to pursue the argument a little farther, and to add, that if magistrates have aught to command in affairs relating to religion, subjects must be obliged to obey, to obey absolutely with or against conscience ; to obey all magistrates, since their right is supposed to result from their office ; and, consequently, to be Protestants and Papists, idolaters or worshippers of the one true God, Mohammedans, Pagans, Christians—all kinds of contrarieties as they are differently dispersed and situated. For if they are anywhere allowed to dissent, and remonstrate against the impositions of the civil power, it can only be upon this foundation, that the injunctions laid on them are contrary to their reason and the dictates of their private conscience ; and if this be ever admitted to be a rightful plea, it must be admitted in all cases ; and conscience, not the will of the magistrate, must be the universal guide.

" It is proper to be remarked, farther, that there is a manifest and

* Rom. ii. 6.

† John xviii. 36.

important difference between civil and religious disputes; because, in the former instance, it may be impossible for one man to be absolutely possessed of a particular branch of property, without another being deprived of it. But every man may enjoy his religious opinions, and practise his peculiar mode of worship, without the least injury to any other single member of the society, or detriment to the whole.

“Add to all this, that by espousing the sentiment which I am now opposing, of the necessity and authority of a public magistratical religion, Christianity itself is virtually condemned; because all those who at first either published or embraced it, renounced, and directly confronted the religion of the state. Upon the same foot, all reformations of the most wicked and hurtful errors, must, by this new invented scheme of tyranny, be precluded and discouraged. It cramps free and ingenuous inquiry, obstructs all improvement in moral and divine knowledge, tends to establish and perpetuate error throughout all ages and generations of men, and to exchange true religion for artifice, and the uniformity of an outward, slavish, hypocritical profession. As the result of all, it must weaken every moral tie, undermine justice, honesty, mutual truth and fidelity, and supplant the foundations of civil society itself. And this, I think, is applicable not only to extremes of violence, but to worldly rewards and discouragements of all kinds, which are a degree of force upon the understanding, and of tyranny over the freedom and immunities of conscience.

“Once more, if it be every man’s indispensable duty, and, of course, a right which he may justly claim, to act agreeably to the inward light and convictions of his own mind, the civil power can have no authority to impose the minutest article with respect to religion; because these two rights are in their natures, utterly repugnant and incompatible. The allowing the magistrate’s right is directly calculated, and the experience of the world shows, that it has no other usual effect, than to produce ignorance, slavery, and misery. Whereas a variety of opinions and sects can of itself create no disorders. And a public leading in religion has generally been, in fact, the bane of knowledge and rational piety; and continues, at this day, in almost all nations, to be nothing better, than the establishment of ‘falsehood’ and ‘iniquity by a law.’”*—*Foster’s Discourses on all the Principal Branches of Natural Religion and Social Virtue*, Vol. ii. Pp. 186–192. 4to. Lond. 1752.

* Psalm xciv. 20.

LIX.

INCONGRUITY OF CIVIL-RELIGIOUS LEGISLATION.

MOLE.

To be taken in after the quotation from Foster.—"The principle upon which a civil establishment of the Christian religion is founded, and a compliance with it expected and required, is the authority or right of the civil magistrate to declare, constitute, and appoint what is true religion, or what shall be the public religion of the country; and that whatsoever he shall enjoin in matters of religion, should be obeyed by all his subjects. This authority has frequently been claimed, but it is necessary to be proved, for the rightful setting up of such a practice, or inferring any obligation upon conscience to comply with it.

"But, now, are civil magistrates possessed of this authority, or the right to do this, or is it mere imagination only? Have they been able, or have they attempted, to prove it, or is it not assertion only and mere claim? Is it from God, or from the people, or how is it that they have acquired this authority, if they are possessed of it? And how do they appear qualified to execute the work they presume to undertake? Or shall we not, if we narrowly examine into this claim, find it to be destitute of all right, and to be nothing else besides the mere argument of power or of the sword? For can they make such a declaration of true religion? Can they so ascertain men of its being the will of God? Or can they so assure them of the certain connexion of their perfection and salvation, with the practice of what they enjoin, as to lay an obligation on the consciences of their subjects, and cause them with safety and satisfaction to trust their eternal salvation thereunto?

"All this God can do, all this he has done in his establishment of real religion; and that in such a manner as is applicable and obligatory to all nations and to all ages, to the end of the world. And if so, what need is there or what room is there for any other establishment? Or if there was, who else can make it? 'Who is sufficient for these things?' What have civil magistrates or civil law to do in this province? Have such persons a competent ability to do any of these acts? Or have their acts any competent efficacy to these ends? After God has done what he has to establish the Christian religion, and that in such a manner as that 'the gates of hell can never prevail against it,' nothing more is needful, and if it were, it is not

possible to be done by any men. There is a wisdom, a truth, a power, which, though multitudes of men satisfy themselves without, rational minds feel to be necessary to these ends, which do not belong to the highest names or characters on earth, but are the properties of God alone. And when God has perfectly established the whole of true religion, whatever is added to it or called by its name, must necessarily come under the notion of false religion. But is there any authority sufficient to establish what is really false religion?"—*The Case of a Dissent and Separation from a Civil Establishment of the Christian Religion, fairly stated by the late Thomas Mole*, § ix. pp. 93–96. Lond. 1782.

The author of these shrewd remarks was a learned and ingenious Dissenting divine, who, during a ministry of nearly sixty years, published at intervals a number of tracts, on various subjects, of considerable merit. The most valuable of these are, a tract "On the Foundation of Moral Virtue," 1732; and "A Defence" of it, 1733; and "The Grounds of the Christian Faith Rational," 1743, in answer to the younger Dodwell's insidious attack on Christianity, entitled, "Christianity not founded on Argument." The work quoted above was posthumous, and, like all its author's productions, is now scarce.

LX.

INCONGRUITY OF CIVIL RELIGIOUS-LEGISLATION.

PROFESSOR BRUCE.

To be added to l. 12, p. 286.—"To invest any on earth with a legislative power in matters purely religious; to make a pope, or a king, or a parliament, lords of men's consciences, and supreme arbiters of christian doctrine, ecclesiastical government, and worship, which are already settled by the church's truly supreme and infallible Head; to enact severe laws on the score of harmless, doubtful, or even false opinions, or on account of frivolous and indifferent rites and ceremonies; to impose any religion, even the best, by force and violence, to extirpate error and heresy by fire and sword, to destroy men's lives, liberty, or estates, under a pretended regard to the salvation of their souls; these are, indeed, anti-christian principles and practices, congenial only to hell and Rome, and can never be sufficiently held in abhorrence by Protestants."—*Free Thoughts on the Toleration of Popery*, by Calvinus Minor, p. 254. Edin. 1780.

LXI.

INCONGRUITY OF CIVIL-RELIGIOUS LEGISLATION.

DR PRIESTLEY.

To be taken in after l. 22, p. 236.—"All the service which the princes of this world can do to religion, is not to intermeddle with it at all, so as to interrupt the reformation, which might take place in it from natural and proper causes, and for this negative assistance the friends of religion would think themselves under the greatest obligation to civil government. Civil power is a very improper engine to be employed in work of this nature; and whenever employed can hardly fail to defeat its end. Wherever *opinion* is concerned; *force* of all kinds, and all motives of *interest* (both of which will ever accompany the civil magistrate), ought to be removed to the greatest distance; and spontaneous, disinterested, and calm reasoning, have the field entirely to herself. Jesus Christ and his apostles asked no aid of the civil powers.

'Non tali auxilio, nec defensoribus istis.'—VIRG.

The kingdom of Christ is not represented by any part of the metallic image of King Nebuchadnezzar, which denoted all the empires of this world; but is *the little stone cut out of the mountain without hands*. It is a thing quite foreign to the image, and will at last fall upon it and destroy all the remains of it. All that true christianity wishes, is to be unmolested by the kings and rulers of the earth, but it can never submit to their regulations. No christian prince before the Reformation ever interfered in the business of religion, without establishing the abuses which had crept into it; and all that christian princes have done since the Reformation, has tended to retard that great work, and to them and their interference, it is manifestly owing that it is not farther advanced at this day."—*A Free Address to Protestant Dissenters as such, by a Dissenter*, § i. pp. 5, 6. Lond. 1769.

The anonymous pamphlet now quoted, was one of the earlier productions of the prolific pen of Dr Joseph Priestley, a man whose "religious tenets appear to me erroneous in the extreme," but whose intellectual endowments and acquirements command my admiration, while his moral courage both as an actor and sufferer in the cause of freedom, excite a yet deeper feeling of reverence. I know, this eulogium will draw down, on its author, the censure of many bigots, and some good men, but to borrow Robert Hall's words, I should count it

“gothic barbarity of sentiment and reptile meanness,” to refrain to give the due meed of praise to the friend of liberty and the victim of intolerance, “for talents which the whole world admired, and for virtues which his enemies confessed, merely because his religious creed was erroneous.”—*Hall's Reply to the Review of his Apology by the Christian Guardian. Works*, vol. iii. p. 187. 8vo. Lond. 1832.

LXII.

TILLEMONT ON THE PROBLEMATICAL ADVANTAGE OF MAGISTRATES' INTERMEDDLING WITH RELIGION.

Foot Note, p. 288, l. 20.—It is curious to find TILLEMONT, though a staunch Roman Catholic, compelled to acknowledge that judging from history, “there is room to doubt whether it would not be more to the advantage of the church, to have at all times princes not disposed to meddle with matters of religion, and only attentive to the execution of the laws relating to justice and equity.”—*Histoire des Emp.* v. 10.

LXIII.

NOTICE OF ALLAN ON THE POWER OF THE CIVIL MAGISTRATE.

To be added to Note XXII. p. 290.—In the conclusion of this note, I would recommend as one of the ablest, fullest, and most satisfactory discussions of the whole subject of the exercise of civil power in religion, “The Power of the Civil Magistrate in matters of Religion, and the Nature of Religious Covenanting considered: being the Substance of Two Remonstrances presented to the General Associate Synod, in the years 1804 and 1805, and of the Answers to them, prepared by the Committee. At the desire of the Synod, collected and arranged with some enlargements. By Alex. Allan, Minister at Cupar Angus. Edin. 1807.” Never, I believe, was the principle of a civil establishment of religion, more plausibly stated and more ingeniously supported, than by Professor Bruce and Dr M'Crie, in the remonstrances referred to. I do not wonder, that the late defenders of Establishments should have largely availed themselves of the stores of subtle argument to be found in these papers—though to be obliged to borrow their best weapons from Seceders must have exercised humility, if it did not awaken a sense of degradation. It was a proof of extreme destitution of the means of defence, when the Israelites were obliged to go into the land of the Philistines to have even their mattocks and axes sharpened. The work referred to does honour to the

sound mind and sincere piety of its venerable author, whose name still flourishes in the odour of sanctity in the district blessed by his holy example and judicious teaching.

LXIV.

NATURE AND EXTENT OF THE OBLIGATION OF CIVIL LAW.

MARVELL.

To be added to Note XXIII. p. 293.—The magistrate's "administration is humane, neither is it possible either for him to exact, or men to pay him, more than a civil obedience in those laws which he constituteth. Otherwise, it were in his power not only, as some, and Caligula, for example, to decree that he is God, but even to be so. God surely, although it does for the most part, or ought to fall out, that the same action is a sin against God, and a disobedience to the humane law, punishes the fact so far as he sees and knows in himself that it is sinful and contrary to the eternal rule of justice; but a humane law can create only a humane obligation; and unless the breach chance likewise to be against some express divine law, I cannot see but that the offender is guilty not to God, but only to the magistrate, and hath expiated the offence by undergoing the penalty."—*Marvell's Rehearsal Transposed. Works, Vol. ii. pp. 396, 397.* These are the words of "Andrew Marvell, the disciple, friend, and protector of John Milton, and, like him, learned, able, witty, virtuous, active, magnanimous, and incorruptible." Hartley Coleridge's life of this distinguished patriot is perhaps the fullest record we have of his doings, and the best picture we have of his character.

CONYBEARE.

"There remains another question, to be considered, which naturally arises from the foregoing discourse; viz. How far subjects may be thought to have discharged their conscience, by merely submitting to penalties, without paying an active obedience to laws.

"In order to solve this doubt, let it be observed, first, That a strict regard must always be had to the design of the legislator, since the obligation of laws will reach just so far as the legislator intended them to reach.

"I would observe, in the next place, that, as in most instances, it must be the design of legislators, that the directive part of their laws should be observed absolutely, so it may happen, in some cases, that

a greater latitude was intended ; and though it cannot well be presumed, that any wise man would enact a law, without intending that the direction of it should be in some sense observed ; yet there is no absurdity in supposing, that he may allow, and even prescribe, an equivalent to be made ; in which case, he who readily complies with such an appointment, shall be justly esteemed to have fulfilled the law, according to the intent and design of the legislator.

“ To speak strictly, such laws as these consist of two parts, without obliging subjects determinately to either ; and rightly understood, amount to thus much ; either such an act shall be performed, or such a forfeiture incurred. The person concerned is allowed to choose which he pleases : and the forfeiture, in this case, is considered by the magistrate as a full satisfaction, or as a reasonable commutation, for not performing the act directed.

“ If this account be just, then forfeitures of this nature are not properly penalties : they are not such penal sanctions, as are intended to support and enforce laws ; and, consequently, this case, however it may appear at first sight, doth not relate to the question before us.

“ The penalties, then, which are intended in this question, are, strictly speaking, punishments ; and the laws, to which the subject is supposed not to have paid obedience, are such, as the legislator designed, should be observed absolutely. These observations having been noted, I shall proceed in the following manner :—

“ Either the point commanded by the legislator to be done is in itself lawful and agreeable to the will of God, or it is not so. If it be either in itself unlawful or forbidden by express revelation, the not observing such a command becomes a duty ; because we are under higher obligations to obey God than man. And patiently to submit, for the sake of public peace, to punishments in such a case, is an instance of true christian fortitude, *and will entitle us to the especial favour of God.*

“ But supposing the point be in reality the proper matter of human laws ; yet, forasmuch as all men are liable to error, difficulties may arise in the minds of subjects. They may possibly be persuaded that the observation of such a law is disagreeable with the will of God ; and we are concerned to inquire, what ought to be determined in such a case as this.

“ The point now proposed is the case of an erroneous conscience, with reference to which I think it is agreed by all sober men, that such a wrong persuasion will oblige so far, as to render that person criminal who acts against it ; but how far the obeying such an

erroneous conscience can acquit a man in the sight of God is another question.

“ If the mistake arose from a man’s negligence or partiality, or any other cause, which he ought to, and might, have removed, then the case is plain : He is properly the author of his own errors, and must answer for all the consequences which follow from them.

“ But if the mistake be such as was, in a human way of speaking, unavoidable, we must then leave him to the mercy of that God, whom he hath sincerely endeavoured to obey : and to suffer patiently for not paying an active obedience to that law, which he is persuaded he ought not to observe, as it is the clearest evidence of his own honesty, *so it is the best recommendation to the divine favour.*

“ The main point, however, is still behind : It remains to be inquired, whether a man hath discharged his conscience, by barely submitting to penalties in those instances, in which he hath no scruples about the lawfulness of obedience ; and when it plainly appears to have been the legislator’s intention to require his obedience.

“ I conceive there will be no difficulty in deciding this question, if we attend to the remarks which I have already offered. As far as the legislator hath a right to command, and intends to oblige, so far must subjects be under an obligation to obey. By refusing, therefore, an obedience in such cases, they must evidently contradict these obligations, and become guilty in the sight of God.”—*Conybear’s Penal Sanction of Laws Considered*, pp. 24–27. Oxford, 1728.

The strong good sense, discovered in the treatment of a moral question, in the above passage, strangely contrasts with the utter ignorance of the first elements of christian truth, betrayed in the two clauses which we have marked by italic characters. What notions must he have of the grace of God, and of the moral condition of man, who can talk of him recommending himself to that favour,—aye, entitling himself to that favour, by merely not outraging the dictates of conscience in a particular case. Surely that favour must not be of great value, which can be so purchased,—or that conduct must be very meritorious, which can buy what is usually considered as so inappreciably valuable. GRACE, from its very nature, seeks no recommendation in its objects, and excludes every thing like entitling claims. Man has entitled himself to God’s displeasure ; and though he may, if he do not obstinately refuse it, obtain God’s favour as a free gift, he never can become entitled to it. The Apostle’s argument is quite applicable here, “ otherwise grace were no more grace.”*

* Romans xi. 6.

BLACKSTONE.

“ It hath been holden, and very justly, by the principal of our ethical writers, that human laws are binding upon men’s consciences ; but, true as this principle is, it must be understood with some restriction. In regard to *natural duties*, and such offences as are *mala in se*, we are bound by conscience, because we are bound by superior laws, before those laws were in being, to perform the one and abstain from the other. But, in relation to these laws, which enjoin only positive duties, and forbid only such things as are not *mala in se*, but *mala prohibita* merely, without any intermixture of moral guilt, annexing a penalty to non-compliance, I apprehend conscience is no farther concerned, than by directing a submission to the penalty, in case of our breach of these laws : for otherwise, the multitude of penal laws in a state would not only be looked upon as impolitic, but would also be a very wicked thing ; if every such law were a snare for the conscience of the subject. But, in these cases, the alternative is offered to every man, ‘ either abstain from this, or submit to such a penalty ; ’ and his conscience will be clear, whichever side of the alternative he thinks proper to embrace.”—*Blackstone’s Commentaries, Introd. § 2. vol. i. pp. 57, 58. Lond. 1791.*

These remarks, though far inferior to the profound statements of Locke, and scarcely throughout self-consistent, sufficiently prove that the doctrine taught in the treatise is no novelty ; and, if “ disgusting paltry sophistry,”—Marvell and Locke, Conybeare and Blackstone, to say nothing of Bunyan and Norris, and the Quarterly Reviewers, must share with me the disgrace of being its propagators. My share of the burden will not be oppressive.

LXV.

RIGHT OF RESISTANCE.

NOODT.

To be taken in after l. 15, p. 310.—The following able and eloquent pleading in defence of the right of resistance, comes from the pen of the acute and learned Dutch jurist, GERARD NOODT. It forms the peroration of an Address, “ *De Jure Summi Imperii*,” delivered by him on retiring from the Rectorship of the University of Leyden, Feb. 9, 1699.

“ ‘ Apage, inquires doctrinam qua imperii reverentia profanatur, qua humanæ vinculum conjunctionis solvitur. Quid ? nonne vitia erunt, ubi homines erunt, maxime in aulis ; ac, si non erunt, adhuc

credentur esse, proclivibus hominibus de magistratibus et principibus male opinari? porro quoties fit, ut optima consilia pessime cadant, atque interim ex eventu de consiliis conjiçiat? adde, quod virtutes sunt affines vitiis, parsimonia avaritiæ, liberalitas luxuriæ, severitas crudelitati, modestia ignaviæ; possitque huic scelus dici, quod illi virtus videatur. Ita si a vulgi levitate pendebit imperii sanctitas, nil principatu calamitosius, nil magis incertum, cogitari potest. Sed neque in republica quid perniciosius aut minus tolerabile vitæ secta qua summus magistratus populo temere subjiçitur. Id agite sultis; et pro obsequio turbas, pro pace bella habebitis, cœlum denique terræ miscēbitis.'

"Auditis, AA, questum ad speciem gravem et acerbum: sed date rerum simplicitati, ut ejus momenta justo pendatis examine: sentietis, levem, vanum atque inanem esse. Quaeso enim, quid vult? utrum, ne unquam Principem in ordinem redigat populus, ne pessimum quidem? Atqui illud ratione naturali, et nobilissimarum gentium exemplis veteribus, ac recentibus, convincitur. An, ne quid temere agat adversus bonum? hoc vero nihil promovet. Non enim usum juris reprehendit, sed abusum: nec oportet haberi malum quo bene uti licet. Alioquin nec magistratus, sine quibus nulla est vita, utiles erunt. Quis enim nescit, summos, medios, imos sæpe sibi suisque civibus exitio fuisse? Nec tamen quisquam dixerit, eos esse non oportere, aut periculosam esse doctrinam qua necessarios in republica magistratus principesque esse probatur, tantum quod possint esse mali. Quod si in his non usum tollendum putamus, sed abusum; cur dicamus, Principis, si pessimus, si perniciosus sit, coercionem, ideo malam aut injustum esse, quod Populus ea abuti etiam adversus bonum possit. Sed et hic periculum principi quod metuendum est? Si, quod ejus fidei convenit, omnium quietem illius vigilia custodiat; omnium fortunas, vitam, libertatem, illius justitia ac fortitudo tueatur; omnium periculis illius, prudentia occurrat; omnium mala atque infortunia, illius benignitas soletur: quid multa? Si se non Tyrannum, sed civem, non dominum, sed patrem præset, postremo si hominem se, et hominibus præse, arbitretur; quorum virtutibus, atque honoribus, non invidet; quorum copiis et artibus lætetur; quorum animi cultum, et sapientiæ studia inter reipublicæ ornamenta, non inter malas artes habeat. Qui enim fieri potest, ut qui seculi beatitudinem atque adeo sua bona intelligant, in principis tam salutaris, tamquam divinitus sibi dati et amorem, et venerationem non rapiantur, atque illo se dignos usu et rebus non præbeat?

"Age vero, si non teneat virtutis viam quæ est veræ gloriæ; sed

malorum optinus sit, et paucorum exitio ejus ferocia consumatur : nec adhuc facile se eo moverit populus, ut eum coerceat, etsi merentem : sive ingenio humanæ infirmitatis quo tardiora sunt remedia, quam mala : sive quod facilis est apud infirmos excusatio ejus, qui et prodesse et nocere possit : sive denique quod unius aut paucorum injuria, etiam gravis, quia ad paucorum dolorem pertinet, fere publice negligitur ; privatim vero paucis quibus ob legum defectum jus belli sit naturæ lege, magis utile est quiescere, quam inani ultionis studio majus sibi malum arcessere. Jam si ea sit Principis atrocitas, ut ad totius populi, aut majoris partes læsionem pertingat : et hic quæ, quanta, quam multa ei populus et belli metu, et otii dulcedine non indulgent ? Quamquam, si extrema patiatur crudelitatis aut superbiæ exempla, quis culpet eum qui consumpta omni patientia, non ea ignavia sit, ut expectandum sibi putet donec de cœlo descendat Deus, in humani generis hostem sua missurus fulmina ? imo quis non eum laudet, quod aliquando se circumspiciat, et a Deo reprimi putet, qui naturæ lege, id est, divina voluntate coeretur ?

“ Præstat tamen, aliquam esse rempublicam, quam nullam, pacem esse quam bellum.” Quasi respublica sit in qua leges nomen sunt, judicia jacent, omnia vi aut factione, nihil ratione, nihil æquo jure decernitur. ‘ At paci studendum.’ An ut tu me jugules et expiles ? Ego interim digitum non moveam ? Hanc si tu pacem vocas, quid bellum erit ? Quin, ut abstineam bello, ne mihi infero bellum : ut pacem servem, pacem mihi præsta. Non enim civem ab hoste natura et loco, sed animo, factisque distinguo : nec mea interest, si spoliari, si torquear, si discerpar, si denique misere atque injuste occidar, ac lanier, ejus sævitia fiat, utrum hostis, aut latronis, an ejus qui se meum civem aut Principem ferat, non enim res mutatur, sed nomen : res eadem est : tantum ad augendam sceleris atrocitatem pertinet, quod ille a quo adversus hostes aut latrones defendi debebam, ipse mihi importunissimus et crudelissimus hostis aut latro factus est. Adversus hunc igitur si lacertos suos moveat Populus, aliquis clamet de pacis commodis deque belli malis ; tamquam si felicia sint tempora quibus boni pereunt, tantum ut Tyrannus cum paucis, improbis ac nefariis sua libidine ac nequitia fruatur tuto secureque ; tamquam si per populum stet, cum a se et suis scelera et injurias arceat, quo minus metuenda sint civilis belli mala. Nihil horum. Non ea infelici populo qui lacessitus, sed Tyranno qui eum lacessivet, malisque sua feritate causam dedit, imputanda sunt. Sed finio, AA, longius enim progressa oratio quam cogitavi : et vos intelligitis summum Magistratum, qualiscumque sit, in republica, non de cœlo demitti,

sed communi civium consensu imponi : ac si se principem aut magistratum præbere velit, non legibus solutum sed alligatum profiteri oportere : nec suam potestatem sua libidine, sed populi utilitate metiri : ceterum non principem aut magistratum agere, sed Tyrannum, atque a suis civibus omni jure et divino et humano coerceri posse.”
 —*Dissertatio De Jure Summi Imperii. Neodt Opera*, Tom. i. pp. 632, 633. Folio. Lugd. 1735.

LXVI.

THE CHURCH OF SCOTLAND STANDS MORE IN NEED OF
 PURIFICATION THAN OF EXTENSION.

To be inserted p. 335, l. 20, after “end.”—The Church of Scotland would do a great deal more, towards gaining the professed end of her present movement, the promotion of the spiritual improvement of our native land, by getting rid of the erroneous, indolent, and immoral ministers in her communion, and filling their places with “workmen that need not be ashamed,” than by doubling the number of her churches, or the amount of her endowments. The purification of the *Church* would do much good ; the extension of the *Establishment* would do much evil. As Dr M’Crie said—To extend it in its present state, would be to extend corruption. Oh could she be but induced to “loose the bands of wickedness, to undo the heavy burdens, to let the oppressed go free, and to break *every* yoke ; then should her light break forth as the morning, and her health should spring forth speedily, then her righteousness should go before her, and the glory of the Lord be her reward.”*

LXVII.

APTHORP ON THE REVENUES OF THE HEATHEN TEMPLES.

To be inserted before l. 4 from the foot, p. 343.—It is very justly remarked by a learned English divine, that “it is to be regretted as a defect in the science of antiquities, that we have not particular accounts of the endowments of the Gentile priesthood. We know in general, that a landed property was consecrated to maintain the temples. The temples of Greece were endowed with lands called *τεμενῆ*. The twelve tables forbade the private donation of lands in mortmain, on political reasons, to prevent the excess of superstitious munificence. Numa assigned a fund which was augmented by Au-

* Isa. lviii. 6–8.

gustus, for the maintenance of the vestals, and another for the expense of victims. The revenues of the priesthood were probably supplied from established funds."—*Apthorp's Letters on the Prevalence of Christianity, before its Civil Establishment*, pp. 296, 297. Lond. 1778.

LXVIII.

PROBABLE REFERENCE OF "STIPES" IN THE QUOTATION FROM
TERTULLIAN.

Foot-Note, p. 347, l. 19.—An ingenious and learned friend suggests that perhaps the direct reference of the "stipes" may be to those payments by which the expense of the *lectisternia*, or suppers of the gods, was defrayed. These solemnities, besides occurring occasionally, as on the celebration of a great victory, seem to have been observed regularly once a month, when in the temples couches were spread ('lecti vel pulvinaria sternebantur'), for the gods as about to feast, and their images taken down from their pedestals, and placed on couches round the altars, which were loaded with the richest dishes. If Tertullian, in the passage under consideration, had the 'lectisternia' in his eye, it would give a peculiar propriety and significance to his sarcastical recommendation to send out Jupiter *in propria persona*, a begging for his sustenance.—*Liv. iii. 63; xxii. 1. Adam's Roman Antiquities, Religion of the Romans, § iii. p. 295.* Lond. 1819.

LXIX.

STACKHOUSE ON THE DISTINGUISHING TENETS OF THE HERODIANS.

Foot Note, p. 350, l. 3.—It is the conjecture of STACKHOUSE, founded on the fact that Herod had done many things inconsistent with the Mosaic law, to ingratiate himself with the Romans, that the characteristic dogma of the sect which bore his name, was, "that although they professed the Jewish religion, and abominated idolatry in their hearts; yet, to humour the Romans, and make themselves easy with their governors, it was not unlawful to comply sometimes with their demands, and at least outwardly to become occasional conformists."—*Stackhouse's History of the Bible, Book vii. Chap. v. vol. ii. p. 1144. Fol.* Lond. 1764. According to this conjecture, which is certainly more probable than that of Calmet, the Herodians were the prototypes of a numerous class in our times—those who condemn church taxes and yet pay them.

LXX.

ODD MISTAKE OF DRUSIUS' RESPECTING THE HERODIANS.

To be added to Note XXVIII.—The note-writer may comfort himself with the reflection that he is not the first learned man who has made a ridiculous mistake about the Herodians. Drusius, who well deserves the appellation Beza gives him, “*Pereruditus*,” flattered himself that in a Hebrew Lexicon, called among the Jews *Baal Aruch*, he had found the true account of the sect so much disputed about. He translates the passage as follows:—“*Herodes eduxit Græcos e deserto et educavit eos in terra habitabili, unde ex Herodis nomine, Herodiani, a loco, unde abducti fuerint, Dorsiani dicuntur.*” By a strange hallucination, the truly learned Dutchman understood the word *Ionim*, of Ionians or Grecians, instead of *doves*, and converted an account of a particular species of pigeons, which Herod had brought out of the desert, and naturalized in the cultivated region, into a statement respecting a religious or political sect.—*Drusii Præterita in Crit. Sec.* Tom. vii. col. 742. *Hammondi Nov. Test.* p. 93. Fol. Amst. 1699.

LXXI.

GISBORNE ON THE DISADVANTAGES OF TITHES.

Foot Note, p. 371, l. 9.—“There is no circumstance which so often disturbs the harmony which should ever subsist between a clergyman and his parishioners, as contention respecting tithes. Many objections are urged, and not without reason, against this mode of providing for the clergy, as being injurious to the progress of agricultural industry. But this is the least important of its bad effects. The heart-burnings excited by it, the heats, the animosities, the quarrels, the spirit of rooted aversion, long surviving the contest which produced it, and frequently displaying itself in an obstinate desertion of public worship, so long as the obnoxious minister continues on the living; these are consequences which in their tendency are subversive of all religion, and strike at the root of the very purpose for which ecclesiastical establishments are instituted.”—*Gisborne's Duties of Men*, C. xi. vol. ii. pp. 63, 64.

LXXII.

CONDUCT OF THE SCOTTISH CLERGY, DESCRIBED BY LOCKE.

Foot Note, p. 372, l. 2.—Locke's description of the Scottish Presbyterians of 1692, in a letter to his friend Limborch, is singularly appli-

cable to their present circumstances. “Presbyteriani in Scotia quid agant, malle ex aliis quam ex me scires. Zelus illic in frigido isto aere per antiperistasin incalescere videtur. Satis fervide, disciplinæ suæ operam dant, an satis prudenter, an satis modeste ipsi videant. Sed ubi causa Dei agitur, ut nosti, et ejus ecclesiæ, quid sibi theologi non putant licere, auctoritatem suam, soli Deo acceptam referentes.”—*Locke's Familiar Letters. Works*, vol. iii. p. 623.

LXXIII.

SECEDERS NOT UNWORTHY THE NAME, THOUGH DIFFERING IN SOME POINTS FROM THE FOUNDERS OF THE SECESSION.

DR LAWSON.

Foot Note, p. 372, l. 19.—To the senseless reproaches, which have been cast on the Seceders of the present day, for entertaining and avowing sentiments, respecting Church Establishments, different from those of their venerated ancestors, as if this rendered them unworthy even to bear their name, a better answer cannot be found than in the following sentences, so replete with “the meekness of wisdom,” from a very valuable tract, published more than forty years ago, by Dr George Lawson of Selkirk, long professor of theology to the Associate (Burgher) Synod, in whom met strong natural talent, extensive and varied professional learning, originality of view, soundness of mind, strict integrity, deep devotion, childlike simplicity, unaffected humility, and kindliness of heart,—in rare, and so far as my observation has gone, when the degree of the qualities are taken into account, in singular union. To have enjoyed the advantages of the tuition and friendship of this truly great and good man, I count one of the principal blessings and honours of my life, and I have a melancholy satisfaction in thus recording the indelible impression made on my mind by so much erudition and wisdom, worth and benevolence.

“No man can revere the memory of our pious ancestors more than I do, if he does not yield them a veneration they never wished to possess, and [if possible] wish less in their present state to possess, than while they conversed with mortals. I admire their virtues, and the remembrance of them will be a powerful motive, to urge me onward in my christian course, that I may be for ever with them where they are, and where their Lord is. But I will show my reverence for their memory, not by a bigotted attachment to every one of their opinions, but by a constant adherence to the fundamental principles of their

conduct, that ‘the word of God is the only rule to direct us how we may glorify God and enjoy him.’”

“When did our Fathers discover a zealous attachment to the doctrine of the magistrate’s power in matters of religion? Their act concerning the power of the civil magistrate” (quoted p. 101), “is a sufficient evidence to me, that they did not believe the whole doctrines of the Confession of Faith on that head; although they did not perceive that they had departed from it. There are expressions, too, in some of their sermons, from which it may be fairly inferred, that, in the opinion of at least some of them, peaceable subjects, however different their religious sentiments might be from those that are publicly professed, are entitled to the protection of the State. But I will not waste time in answering this cavil. The first Seceders were not Papists, nor did they wish their followers to follow them implicitly. They judged for themselves, according to the best of their ability, from the word of God, and were open to conviction when they erred. We find Mr Ralph Erskine, in his Sermon on John ii. 19 (*Works*, vol. ii. pp. 324–326. Folio. Glasgow, 1765), confessing, in the presence of his brethren, several mistakes into which they had been suffered to fall. Why should we be bound to think these men infallible, whom we would consider as the most presumptuous of mortals, if they had thought themselves infallible?”

“It is needless to say much in vindication of our right to the name of Seceders, which has not been generally considered as an honourable appellation. We are not, however, ashamed of it. If it is a reproach to be called Seceders, we consider it as the reproach of Christ. Besides, we are not willing to lay aside a name which denotes our relation to a set of noble church patriots, who contended to deprivation for the liberties of the church, and for the purity of the doctrine of Christ. We would rather, however, renounce all connexion with them, than bind ourselves implicitly to approve all their sentiments, and every part of their conduct. Were we ‘baptized in their name?’ ‘Had they not ‘a body of death’ in them, while they lived in this world? Were their understandings perfectly delivered from the influence of the corrupt principle any more than their hearts? They certainly erred in practice every day of their life; Psalm xix. 10; and who will say that they might not err in judgment? Will a man be refused the appellation of a Lutheran, because he will not call the Epistle of James *straminea epistola*, an epistle of straw? or the name of a Calvinist, because he believes the moral obligation of the fourth commandment as well as the third? Did our

Fathers of the Reformation dream that they had forfeited all right to claim a connexion with the Church of Geneva, because they would not observe Christmas and Easter? There are already too many distinctive names for different classes of Christians. A thousand more must be speedily invented, if every difference, and every change of opinion, render a new name necessary."—*Considerations on the Overture lying before the Associate Synod, respecting some Alterations in the Formula concerning the Power of the Civil Magistrate in Religion, &c.*, Pp. 26, 32, 77, 78. Edin. 1797.

LXXIV.

EXPOSITION AND DEFENCE OF THE PRINCIPLES OF THE FRIENDS
RESPECTING CHURCH TAXES.

JOSEPH PHIPPS.

To be inserted p. 375, l. 20.—"Tithes are not imposed in the manner of a civil tax. They are founded on religious considerations. The intent of imposing them is to support religious ministers in the pursuit of religious duties. Being not required for a civil but for a religious purpose, the payment of them is to be treated as a matter of religious concern.

"As the foundation upon which tithes are exacted is not of a civil nature, neither can they be a just debt upon those who are of a distinct society in point of religion, from that of the demanders. The Quakers, in particular, have no connexion with the legally established clergy, but in a natural or civil relation. They are not of the same religious society with them; therefore, these are no ministers to them, and, by consequence, can have no equitable demand upon them as such."—Quoted by H. T. [Henry Tuke], *Christian Observer*, Vol. x. p. 335. Vide also *Pearson's Great Case of Tithes Truly Stated*. 1654.

LXXV.

CHURCH PROPERTY.

EDINBURGH REVIEW.

To be inserted before "ANONYMOUS," p. 395.—It is to the acknowledgment of the great principle, that the State may legislate as freely upon the revenues of the Church, as upon the interests of any other class of men in the kingdom, or upon any other description of *public property*, that England and Ireland must look for ultimate and effectual relief from one of the great grievances under which they now suffer."—*Edinburgh Review*, vol. xxxviii.

WALKER.

“ In the current phrase ‘ Church Property,’ the Church is represented as a body corporate, endowed with certain civil privileges and rights ; while the various orders of clergy from the Archbishop to the Curate, are considered as the members of the corporation. What an abuse this is of the term Church, it would be easy to demonstrate : and what an utter departure from its primitive and scriptural meaning, as importing in general an assembly of persons convened for any purpose, and peculiarly a congregation of Christians coming together into one place, for christian purposes. I briefly notice this, because the perception of it will relieve any man from the dread of SACRILEGE in touching the *soi disant* church.

“ And as to the alleged INJUSTICE of diverting Church property from the present purposes for which it is employed, I must say that, if these purposes were found inconsistent with the peace and welfare of the nation, it would be more unjust to sacrifice the peace and welfare of the nation to the abstract conception of the clergy as a body corporate, however countenanced that abstract conception may be by the technicalities of legal language. The interest in this Church property, which any existing individuals actually possess, ought assuredly to be preserved inviolate ; for I have no idea of promoting even public benefit by private wrong. But I deny that any principles of justice bind the Legislature to continue a system for providing a continued succession of claimants to that property.

“ Let me suppose a case, which will at once illustrate my meaning, and establish the truth of my opinion. Let me suppose, that by the common law of England, for time immemorial the tenth part of the produce of the soil had been allotted to the maintenance of a favourite corps of military officers ; each of whom should have but a life-rent interest in his portion of these military tithes ; but on his death or promotion, should be succeeded by one educated for the profession, and appointed by some public functionary to hold the vacant commission. Supposing this, we may easily imagine that in a course of years other corps of officers would feel a strong desire to participate in these pecuniary advantages, as well as much jealousy and irritation at being precluded from them. We may easily imagine, also, that the military tithe proctors would become very obnoxious to the people ; and that the land-owners and land-holders would at length murmur loudly at this disposal of the tenth part of the produce of the soil. Yet I am ready to admit that it might be fairly replied against such

murmurs, that the land-owners held their land, from time immemorial, subject to this defalcation, or, in other words, were legally owners of but nine-tenths of the produce ; and that, if the military tenth were abolished, it would benefit not the tenants of the land, but the proprietors, as they would certainly demand and receive a proportionally greater rent.

“ But let us suppose that the public should at length become convinced that this old allotment of the tenth of the soil, and the tenth of the labour and expense of its cultivation, had been exceedingly absurd and impolitic ; that its effects were to the highest degree injurious to the community, and endangered the peace and well-being of the nation. In such a case, shall I be told that the legislature would act *unjustly* if they dissolved that corps of officers, set up to auction these military tithes, and applied the public fund thus formed to purposes beneficial to the State ? In such a case, if the officers raised a loud clamour, and held a high language about their being a corporate body, whose property could no more be legally invaded than the property of an individual, should we not laugh at the sophism ? Should we be at any loss to say, ‘ Gentlemen, whom do we injure ? You have but a personal and life-interest in these military tithes, which some foolish monarch of old allotted to the maintenance of your corps. Your vested interests we will not invade : we shall take care that you shall not be losers : that you shall have an income fully equivalent to what you have received. But we think it for the good of the State that your corps, as a favoured military body, should become extinct. And whom again we ask do we injure ? Your successors ? and who are they ? Nonentities at present, and we think it expedient that they should remain so,—that you should have no successors. That there are many who would be very glad of the appointment to succeed to your commissions, we have no doubt. But is there an individual who can say that he has a legal right to the appointment ? And no man can reasonably complain that he is *deprived* of what he has never had, either in possession or in right. That many may have had it in prospect and expectation,—that many may have indulged the *hope* of being appointed to your commissions, we do not deny. Such may be disappointed but will not be injured. And perhaps even they will ultimately have no cause to regret that they are obliged to turn their exertions into another channel.’ Common sense, I think, would dictate such a reply in such a case ; and, for my part, I can see no essential difference between this imaginary case, and that which I brought it to illustrate.”—*Plain Truths, or a Speech which*

may be delivered in the approaching Session by any Member who likes it, on a motion for going into a Committee of the whole house upon the state of Ireland. Δυσχρον εστι ω ανδρες Αθηναιοι, φευακιζειν εαυτοις (translated for the benefit of the country gentlemen. "It is shameful gentlemen that we should humbug OURSELVES.") Lond. 1825.

LXXVI.

NOTICE OF JUS POPULI VINDICATUM.

Foot-Note, p. 427, l. 5.—This is not the able tractate from which two of my mottos are taken, and which is quoted at some length in Note XXIV., "On the Right of Resistance," but a much larger and a much less readable book, the full title of which is, "JUS POPULI VINDICATUM, or the People's Right to Defend themselves and their Covenanted Religion Vindicated; wherein the act of Defence and Vindication which was enterprised, anno 1666, is particularly justified; the lawfulness of private persons defending their lives, libertyes, and religion against manifest oppression, tyranny, and violence, exereed by magistrats, supream and inferiour, contrare to solemn vows, covenants, promises, declarations, professions, subscriptions, and solemn engadgments, is demonstrated by many arguments. Being a full reply to the first part of the survey of Napthali, &c., by a Friend to true Christian liberty."—The Mottos are Psal. lxxiv. 20-23, and Hos. i. 7. Its author is understood to have been Sir James Stewart of Goodtrees. It bears date 1669, and, like a number of the books of the Scottish Covenanters, seems to have proceeded from a Dutch press.

LXXVII.

WYCLIFFE AND HIS FOLLOWERS VOLUNTARY CHURCHMEN.

To be inserted p. 433, l. 15.—What were Wycliffe's opinions may be learned from the following extracts from his MSS. "By the gospel and the life of Christ and of his apostles, priests have no power to constrain men to pay their dymes. Especially while they do not their spiritual office, but harm men by false teaching and evil example. But even though they did their office well, and men could not pay them tithes, still they should not curse men, but rather suffer meekly, as did Jesus Christ. * * * * Christ and his apostles took no tithes as men now take them, neither paid them, nor spake of them either in the Gospel or in the Epistles,—the perfect law of freedom and grace. But Christ lived on the alms of Mary Magda-

lene and of other holy women, as the Gospel telleth. And apostles lived sometimes by the labour of their hands, and sometimes accepted a poor livelihood and clothing, given by the people in free will and devotion without asking or constraining. And to this end Christ said to his disciples, that they should eat and drink such things as were set before them, and take neither gold nor silver for their preaching, or their giving of sacraments. And Paul giving a general rule for priests, saith thus; ‘ We having food and clothing, with these things we be content in Christ Jesus.’ Paul also proved that priests who preach the Gospel truly should live by the Gospel, and of tithes he said no more.” * * * Speaking of the Popish Bishops, he remarks, “ They take not tithes and offerings by the form of the Old Testament, that is, parting them in common to all the priests and ministers of the Church, nor according to the form of the Gospel; that is, having a simple livelihood, given without compulsion by the free devotion of the people; but they take them according to a new law of sinful men, one priest challenging to himself all the tithes of a great country.”—*Vaughan’s Life and Opinions of John de Wycliffe*, vol. ii. pp. 253–255.

What the opinions of Wycliffe’s followers were, appears from the following interesting extract from “ the examination of Master William Thorpe, preste, accused of heresy before Thomas Arundel, Archbishop of Canterbury, penned with his own hand, 1407, 8th Henry IV.”

ARCHBISHOP. “ What saist thou to this fourth point that is certified against thee, preaching openly and boldly in Shrewsbury, that priestes have no title to tithes?”

THORPE. “ I named there no worde of tithes in my preaching. But more than a moneth after that I was arreasted there in pryson, a man came to me into the pryson askynge me what I said of tithes. And I saide to him, Sir, in this toun are many clerkes and priestes, of which some be called religious men, though many of them be seculars, therefore, ask ye of them this question. And this man saide to me, Sir, our prelates say that we are also obliged to pay our tithes of all thinges that renue to us; and that they are accursed that withdraw any part wittingly fro them of their tithes. And I said, Sir, to that man, as, with my protestacyon, I say now here before you, that I hadde wonder that any prieste dare say men to be accursed without grounde of Godde’s worde. And the man said, Sir, our priestes say that they curse men thus by authoritie of Godde’s law. And I sayde, Sir, I know not where this sentence of cursing is autho-

rized now in the Bible. And therefore, Sir, I pray you that ye will aske the most conninge clerk of this toun, that ye may know where this sentence, cursing them that tithe not now, is written in Godde's law; for yf it were writen there, I wolde right gladly be learned where. But shortely this man wolde not go from me to ask this question of another body; but required me there, as I wolde answere before God, if in this case the cursing of priestes were lawfull and approved of God. And shortely herewith came to my mind the learnyng of Seynt Peter, teaching priestes specially to hallow the Lord Christ in their hearts; being evermore redye (as farre as in them is) to answer thorowe faith and hope to them that ask of them a reason. And this lesson Peter teacheth men to use with a meke spirit, and with drede of the Lord. Wherefore, Syr, I said to this man in this wise, In the olde lawe which endyd not fully till the tyme that Christ rose up ageyn from dethe to lyfe, God commanded tithes to be gyven to the Levites for the great besynesse and daily travel that pertayned to their office. But priestes, because their travel was mekyll more light and easy than was the office of the Levites, God ordeyned that priestes should take for their life-lode to do their office, the tenth part of the tithes that were given to the Levites. But now (I said), in the newe lawe nother Christe nor any of his apostles take tythes of the people, nor commanded the people to pay tythes nother to priestes nor to deacons. But Christe taught the people to do Almesse, that is, works of mercy to poor nedye men, of surpluse, that is, superfluous of their temporall goodes, which they had more than them needid reasonably to their necessary lyvelode. And thus (I said) not of tythes but of pure almesse of the people, Christ lived and his apostles, whan they were so besye in teachynge of the worde of God to the people, that they myght not travell otherwyse for to get their lyvelode. But after Christe's ascension, and whan the apostles had receyved the Holy Goste, they traveled with their handes for to get their lyvelode, when that they myght thus do for besye preachynge. Therefore, by example of himself, Seynt Paul teacheth all the priestes of Christe for to travel with their hande, whan for besye teachynge of the people they might thus do. And thus all these priestes, whose priesthode God accepteth now, or will accepte or did in the apostle's time, and after their decease, will do to the worlde's ende. But (as Cisterciensis telleth) in the thousande year of our Lorde Jesu Christe, two hundreth and eleventh yere one Pope Gregory the Tenth ordered new tythes fyrst to be gyven to priestes, now in the newe law. But Seynt Paul in his time, whose trace or example all priestes of

God enforce them to follow, seyng the covetousnesse that was among the people, desyringe to destroye this foule synne thorowe the grace of God, and true virtuouse lyvyng an example of himselfe, wrotte and taught all priestes for to followe him as he followed Christe, patiently, willingly, and gladly, in his povertie. Wherefore Paul saithe thus, the Lord hath ordered that they that preach the Gospel should lyve of the Gospel. But we (saith Paul) that covet and besy us to be faithful folowers of Christ, use not this power. For lo (as Paul witnesseth afterwarde) whan he was full pore and nedey, preaching among the people, he was not chargeous unto them, but with his hands he travelled not only to get his own lyvyng, but also the lyvyng of other poore and nedey creatures. And syns the people was never so covetousse nor so avarouse (I gesse) as thei are now, it were good counsell that all priestes take good hede to this heavenly learnyng of Paul, folowing him here in wilful povertie, nothing charging the people for their bodely lyvelode. But because that many priestes do contrary to Paul in this foresayde doctrine, Paul biddeth the people take hede to those priestes that follow him as he had given them example. As if Paul would say thus to the people, Accept ye none other priestes than they that lyve after the fourme that I have tauchte you. For certeyn in whatsoever dignitie or ordre that any prieste is in, yf he conforme him not to followe Christe and his apostles in wilful povertie, and in other heavenly virtues, and specially in true preachynge of Godde's worde : though soch a one be named a prieste, yet he is no more but a prieste in name, for the worke of a very prieste such a one wanteth. This sentence approveth Augustine Gregory Chrisostome and Lincolne* plainly.

"And the archbishop said to me, Thinkest thou this, wholsome learninge for to sow openly or yet privily among the people? Certeyn this doctrine contrarieth playnly the ordinaunce of Holy Fathers, which have ordained, graunted, and licensed priestes to be in diverse degrees, and to lyve by tithes and offeringes of the people, and by other dueties.

"And I said, Syr, if priestes were now in mesurable mesure and number, and lyved vertuously, and taucht besyly and truely the worde of God by example of Christe and of his apostles, withouten tythes, offringes, and other dueties that priestes now challenge and take, the people wolde gyve them freely sufficient lyvelode.

"And a clerke said to me, How wilt thou make this good that the people will give frely to the priestes their lyvelode, syns that now by

* John Gróstete, or Grosthead, Bishop of Lincoln.

the lawe every prieste can scarcely constrayne the people to gyve them their lyvelode?

“ And I said, Sir, it is now no wonder though the people grudge to gyve priestes the lyvelode that they aske, for mekell people knowe now how that priestes should lyve, and how that they lyve contrary to Christe and to his apostles: and therefore the people is full hevy to paye (as they do) their temporal goodes to parsones and to other vicars and priestes, which should be feithful dispensatours of the parishes goodes, taking to themselves but a scarce lyving of tythes nor of offrynges, by the ordinaunce of the common lawe. For whatsoever priestes take of the people, be it tythe or offering, or any other duetie or service, the priestes oughte not to have thereof no more but a bare lyvinge, and to depart the residew to the poore men and women specially of the parish, of whom they take this temporal lyvyng. But the most dele of priestes now waste thair parishes goodes, and spendeth them after their owne will after the worlde in their vayn lusts, so that in few places poore men have dewly (as they should have) their own sustenaunce, nother of tythes nor of offerynges, nor of other large wages and foundations that priestes take of the people in diverse manners, above that they nede for nedeful sustenaunce of meat and clothyng. But the poore nedye people are forsaken, and left of priestes to be sustained of the paroshenes, as if the priests toke nothing of the paroshenes for to help the poore people with. And thus, Syr, into over great charges of the paroshenes they pay their temporal goodes twice, wher ones myght suffice, if priestes wer trew dispensatours. Also, Sir, the paroshenes that pay their temporal goodes (be they tythes or offeringis) to priestes that do not their office among them justely, are parteners of every synne of those priestes, because that they susteyne those priestes foly in their synne with their temporall goodes. If these things be well considered, what wonder is it then, Syr, if the paroshenes grudge against thes dispensatours.

“ Then the Archbishop said to me, Thou that shouldest be judged and ruled by Holy Chirche, presumptuously thou deemest Holy Chirche to have erryd in the ordinance of tythes and other dewties to be payd to priestis. It shall be long or thou thryve, Losell; that thou despisest thy ghostely Mother, how darest thou speake this, Losell, among the people? Are not tythes gevyn to priestis for to lyve by?

“ And I said, Sir, Seynt Paul saith, that tythes were given in the old lawe to Levites and to priestis, that came not of the lynage of Levi; but our priest, he saith, came not of the lynage of Levi, but of the lynage of Juda; to which Juda no tythes were promised to be

gevyng. And, therefore, Paul saith, syns the priesthode is chaunged from the generacion of Levi to the generacion of Juda, it is necessary that chaunging also be made of the lawe. So that priestis lyve now without tythles and other dewties that they now claime, following Christe and his Apostles in wilful povertie, as they have gyven them example. For syns Christe lyved all the tyme of his preaching by pure almes of the people, and, by example of hym, his apostles lyved in the same wyse, or els by the travell of their handis, as it is above, every prieste, whose priesthode Christe approvyth, knowith well, and confessith in worde and in werke, that disciple owyth not to be above his master; but it sufficeth to a disciple to be as his Master, symple and pure, meke, and patient, and by example specially of his Master, Christe, every prieste sholde reule hym in all his lyvyng, and so, after his comyng and power, a prieste should besy hym to enfourme, and to reule whome soever he myght charitably.

“And the Archbishope said to me with a great spirite, Goddis curse have thou and thyne for this teaching; for thou woldist hereby make the olde lawe more free and perfect than the newe lawe. For thou saist that it is lefull to Levites and to Priestis to take tythes in the olde lawe, and so to enjoy their privileges; but to us priestis in the new lawe, thou saist it is not lefull to take tythes; and thus thou gevist Levites of the olde lawe more freedom than to Priestis of the new lawe.

“And I said, Sir, I marvell that ye understande this playne text of PAUL thus: Ye wote well, that the Levites and Priestis, in the olde lawe, that took tythes, were not so fre nor so perfite as Christe and his apostles that tooke no tithes. And, Sir, there is a Doctour (I thinke that it is Seynt Jerome), that saith thus, The priestis that challenge now, in the new law, tythes, say, in effecte, that Christe is not becomen man, nor that he hath yet suffered dethe for mannis love. Wherefore this Doctour saith thys sentence, syns tythes were the hyres and wagis limited to the Levites, and to Priestis of the old lawe, for bearing about of the tabernacle, and for slaying and fleaying of beasis, and for burning sacrifice, and for keping of the temple, and for tromping of battell before the hoste of Israel, and other diverse obseraunces that perteynyed to their office, those priestis that will challenge or take tithes, denye that Christe is comen in fleshe, and do the Priestis office of the old lawe, for whom tythes were graunted; for els (as the Doctour saith), Priestis take now tythes wrongfully.

“And the Archbishop said to his clerkes, Herde ye ever Losell

speake thus? Certain this is the learnyng of them all, that whensoever they come, and they may be suffered, they enforce them to expugne the freedome of Holy Chirche.

"And I said, Sir, why call you the takyng of tythes and of soche other dewties that priestis challenge now wrongfully, the fredome of Holy Chirche? syns nother Christe nor his Apostles chalenged nor tooke such dewties. Therefore thes takyngis of priestis now are not called justely the fredome of Holy Chirche: but all soche gevyng and takyng ought to be called and holden selaunderous covetousnesse of men of the Holy Chirche."—*State Trials*, Vol. i. p. 13, &c. Folio. Lond. 1719.—*Vide Fox's Acts and Monuments*, Vol. i. p. 689, &c. Fol. Lond. 1641. Vol. iii. pp. 269–292. 8vo. Lond. 1837.

GOWER, to whom his better known cotemporary and friend Chaucer has given the laudatory epithet of 'the Moral,' seems to have been as much a voluntary as Wycliffe and his follower Thorpe. Milton, in his Apology for Smectymuus, quotes the following pithy verses:

"This Constantine, which heal hath found,
 Within Rome anon let found
 Two churches which he did make
 For Peter and for Paul's sake:
 Of whom he had a vision,
 And yafe therto possession
 Of Lordship and of worlds good;
 But how so that his will was good
 Toward the Pope and his franchise,
 Yet hath it proved otherwise
 To see the working of the deed:
 For in Chronick thus I read,
 Anon, as he had made the yeft,
 A voice was heard on high the left,
 Of which all Rome was adrad,
 And said this day venim is shed
 In holy Church, of temporall
 That meddleth with the spirituall;
 And how it stant in that degree,
 Yet may a man the sooth see.
 God amend it whan he will,
 I can thereto none other skill."

LXXVIII.

VOLUNTARYISM TAUGHT BY SIR THOMAS MORE.

From the following remarkable passage in "The Utopia," that very amusing and instructive philosophical romance, it would appear

that Sir Thomas More was a voluntary at heart :—"Utopus enim jam inde ab initio, cum accepisset, incolas ante suum adventum de religionibus inter se assidue dimicasse, atque animadvertisset eam rem, quod in commune dissidentes, singulæ pro patria sectæ pugnabant, occasionem præstitisse sibi vincendarum omnium : adeptus victoriam inprimis sanxit, uti quam cuique religionem libeat, sequi liceat : ut vero alios quoque in suam traducat, hæcenus niti posset, uti placide ac modeste suam rationibus astruat, non ut acerbe ceteras destruat, si suadendo non persuadeat, neque vim ullam adhibeat et conviciis temperet : petulantius hæc de re contententem, exilio aut servitute mulcant. Hæc Utopus instituit non respectu pacis modo, quam assidue certamine atque inexpiabili odio funditus vidit everti : sed quod arbitratus est, uti sic decerneretur, ipsius etiam religionis interesse : de qua nihil est ausus temere definire, velut incertum habens, an varium ac multiplicem expetens cultum Deus, aliud inspiret alii. Certe vi ac minis exigere, et quod tu verum credis, idem omnibus videatur, hoc vero et insolens et ineptum censuit : tum si maxime una vera sit cæteræ omnes vanæ, facile tamen prævidet (modo cum ratione et modestia res agatur) futurum denique, ut ipsa per se veri vis emergat aliquando et emineat : sin armis et tumultu certetur, ut sint pessimi qui maxime pervicaces, optimam ac sanctissimam religionem ob vanissimas inter se superstitiones, ut segetes inter spinas ac frutices obrutum iri. Itaque hanc totam rem in medio posuit, et quod credendum putaret, liberum cuique reliquit." . . . "Sacerdotes eliguntur a populo."—*Utopia*, Lib. ii. *Mori Lucubrationes*, p. 133, 144. Basil, 1563.

LXXIX.

LORD CHATHAM ON THE POLITICAL INFLUENCE OF DISSENT.

Foot-Note, p. 439, l. 14.—"There is no instance to be found of any sect, which dissented from the Established worship in any country, having been the means of disturbing the general tranquillity, unless they had been treated with cruelty, and injured in their rights as citizens and men."—*Lord Chatham in a Letter to Dr Price*.

LXXX.

CIVIL ESTABLISHMENTS DISTURB CIVIL GOVERNMENT.

Foot-Note, p. 440, l. 19.—"The clerical system, even in this country, overlays the State which it professes to support. The governments of Europe will yet discover, however slowly, that it is their

practical wisdom to disentangle the civil polity from the embarrassments of all theological controversy, and ecclesiastical rivalship. Statesmen are finding it their wisdom to loosen the connexion between the so-called Church and the State; and I doubt not, that they will at length find it their wisdom to dissolve it. They will find that the things of this world are the proper province of the rulers of this world; and that, in attempting to legislate about the concerns of another world, and to provide for the souls of their people, they have cumbered themselves with a burden, which they are not called to bear. Is it not indeed ‘a cumbersome stone,’ the weight of which is obviously pulling down almost all the governments of Europe?”—*Walker’s Essays and Correspondence*, Vol. ii. pp. 647, 577 and 533.

“Then both commonwealth and religion will at length, if ever, flourish in Christendom, when either they who govern discern between civil and religious, or they only who so discern shall be permitted to govern. Till then nothing but troubles, persecutions, commotions, can be expected, the inward decay of true religion among ourselves, and the utter overthrow at last by a common enemy.”—*Milton’s Treatise of Civil Power in Ecclesiastical Causes. Works*, vol. i. p. 545.

LXXXI.

AN ENEMY OF ESTABLISHMENTS MAY BE A FRIEND TO THE CIVIL CONSTITUTION.

Foot-Note, p. 441, l. 9.—“It was a malicious artifice,” says the witty Alsop, “of Julian the Apostate, to erect the images of the gods in the forum, near his own station, reducing hereby the Christians to this dilemma, either to seem to worship the images, while they revered his statue, or condemn their sovereign, by refusing to bow before the images. Into the same streights would the masters of ceremonies bring us, that either our loyalty must argue us into a conformity to their intention, or non-conformity shall be an interpretative contempt of authority. Thus it has ever been a successful policy to twist their own concerns with those of majesty and royalty, that they may not be separated; and when they have laid up their little knacks among the sacred *κειμήλια* in his Majesty’s jewel-house, to touch one ceremony is to steal the crown.”—*Melius Inquirendum*, p. 361. 8vo. 1679.

“It is not uncommon for the zealous advocates of our religious establishments, to speak evil of all who dissent from them as necessarily ill affected to the State. ‘The Church and State, say they, form

one constitution in these realms ; and to that constitution those who dislike the Church must be hostile.' If this be so, nothing can more clearly show the impolicy and absurdity of the connexion. If this be so, the British constitution has indeed a host of irreconcilable foes, not only in Ireland, but in England, Scotland, and Wales ; and that host yearly increasing ; for I believe it will not be denied, that the number of Dissenters from the Establishment is decidedly on the increase. If this be so, it was most pernicious to introduce the Reformation into these countries ; for the appeal then made to the Scriptures must necessarily produce Dissenters for any political establishment of religion, which could be adopted ; whereas the continued domination of Popery, keeping down the spirit of inquiry, might have united the people in blind submission to the dictates of their priests.

" But I must add, that if this be so, then the Lord Chancellor himself, and all our Most Reverend Archbishops, and Right Reverend Bishops, and Very Reverend Deans, and Venerable Archdeacons, are disaffected subjects, on the northern side of the Tweed, and all the sincere members of the Established Church of Scotland, are disaffected subjects on the southern side of that stream.

" But his Majesty—what should we say of him, upon the supposition against which I argue ? He has in his dominions at least two ecclesiastical systems, of which he is the common head. Now, those who maintain that a man cannot be well affected to the State, unless he be attached to the Church, would do well to say, which of his churches the king himself must be attached to ! They would do well to pause and consider the disloyal imputation which they cast on his Majesty, if he be considered as cordially attached to either. Our civil constitution might subsist in full vigour, though the so-called church was set adrift ; and to that constitution, as consisting of the well-balanced powers of King, Lords, and Commons, a man may be cordially attached, who yet thinks the Church a dead incumbrance on the State, a morbid tumour, which it would be desirable to eradicate, if it might be done without danger from hæmorrhage."—*Walker's Essays and Correspondence*, vol. ii. p. 644.

" We are persuaded that the civil constitution of this country might continue to subsist in full vigour, if totally disconnected from the ecclesiastical ; and that the present connexion is a dead weight upon the State, however it may contribute to the purpose of swelling the patronage and influence of the crown."—*Ibid.* p. 583.

" What is the constitution of this country, so much boasted of, and which our neighbours are said to be striving to imitate. or rather to

surpass? The existing form of government under King, Lords, and Commons: but religion and civil government are distinct in their natures. The constitution would not be altered by a change of worship, more than it was at the Reformation. The religious establishment, so far as it is settled by human laws, and as to external rites and ceremonies, is liable to change as much as any civil appointments whatsoever."—*Sir George Colebrooke's Six Letters on Intolerance*, Let. I. pp. 50, 51. Lond. 1791.

It is acutely said by Robinson, "It is not accurate to speak of a constitution in Church and State, as if the Church were half the State, or as if the British constitution consisted of two independent empires in alliance, because the truth is, the executive power distributes the religion of the State by the clergy, exactly as the same executive power distributes the wealth, the protection, and the law of the State, by other classes of state officers. We do not say constitution in Law and State, or in Army and State, or in Exchequer and State, for all these are creatures of State, and such is the Church."—*Robinson's Occasional Sermons*, pp. 51, 52.

LXXXII.

TENDENCY OF CIVIL ESTABLISHMENTS.

*To be added to Foot Note **, p. 445.—"The history of church establishments is the history of the decline and corruptions of Christianity. Every religious establishment among Christians, without adding to the evidence, hath abated from the purity of the gospel."—*Sir George Colebrooke. Letters on Intolerance*, Let. II. p. 207. Let. V. p. 429.

"Christianity inevitably suffers the destruction of some of her fairest characteristics, in a union with civil government. Originally, the christian church is spiritual in its office and end, but in an establishment, it is employed in earthly and political services. Originally, it is a voluntary society, but in an establishment, it is maintained by a system of force. Originally, it is independent, but in an establishment it is subjected to the power and caprice of secular princes and parliaments. Originally, it is Catholic, but by an establishment, it is made sectarian and schismatic. Originally, it is popular and free, but in an establishment its government is necessarily despotic or aristocratical. Originally, its members are select, but admission becomes promiscuous, when it aims at being national. Originally, the dependence of its ministers on the voluntary support of its members,

affords a powerful secondary stimulus to exertion, and its freedom from every restriction, except 'the royal law' of its Divine Ruler, fits it for unfettered movement in the prosecution of its objects; but in an establishment, its fixed salaries operating upon its officers as bribes to indolence, and its connexion with a system of human law obliging them to a rigid adherence to form and precedent, produce weakness and lethargy in the whole frame."—*Memorial to Earl Grey, by a Public Meeting of Dissenters and Others, Inhabitants of the City of Edinburgh, &c. Feb. 12, 1834.*

LXXXIII.

OCCASIONAL GOOD MAY BE DONE BY A BAD SYSTEM.

Foot Note, p. 443, l. 6 from the foot.—"It is no proof of the goodness of a system, that occasional good may be traced to its operation; for desolating wars have overthrown tyrannies; oppression has led to freedom; and when the iniquity of Rome was 'full' like that of the Amorites, it produced the Reformation. Providence may have sometimes rendered the supremacy of the secular power subservient to the objects of Christianity; but it should also be remembered, that the exercise of this authority, by clashing with the rights of conscience, has proved the grand source of religious discord among Protestants during three centuries."—*Hoppus on Schism*, pp. 172, 173.

LXXXIV.

TENDENCY OF CIVIL ESTABLISHMENTS TO PRODUCE INFIDELITY.

WALKER.

Foot Note, p. 453, l. 11.—"It is sufficiently evinced by existing facts, that, in the political establishment of religion, the truth or falsehood of the religious system is a question altogether out of contemplation. And this certainly is one of the circumstances, which render every religious establishment an eminent instrument of promoting irreligion. The populace may be very slow to notice this merely political character in the state church, but thinking and observing men must perceive it, and will call the attention of others to what they see themselves. Naturally indisposed to view the revelation which the only true God has made in the Scriptures, and willing to draw their puny conclusions against all religion from what they perceive to be the character of state religion; they find in this a ready justification to their consciences for laughing at every thing sacred, either

openly or under the profession of ardent zeal for the church."—*Walker's Essays and Correspondence*, vol. ii. p. 584.

LXXXV.

TENDENCY OF CIVIL ESTABLISHMENTS TO DISTURB CIVIL ORDER.

WARBURTON.

Foot Note, p. 453, l. 13.—It is a just and important remark of Bishop Warburton, though it is certain he did not see the full extent of its bearing when he made it: "It is only the tyrannical usurpation of the magistrate upon the rights of religion, that makes diversity of opinions mischievous and malignant." The manner in which diversity of religious opinion affects the civil peace of a community, "wherever more than one religion is found in a state," and where the principle that there ought to be a civil establishment of religion is generally held, is very well described by him. "Every sect thinking itself alone the true church, or at least the most perfect, is naturally pushed on to advance its own scheme on the ruins of all the rest; and where argument fails, civil power is made to come in, as soon as ever a party can be formed in the public administration: and we find that they have been too successful in persuading the magistrate that his interests are much concerned in their religious differences." He is not so happy, however, in the plan he proposes for putting down these disturbances. "Now, the most effectual remedy to these dangerous and strong convulsions into which states are so frequently thrown by these struggles, is an alliance which establishes one church and gives a full toleration to the rest; only keeping sectaries out of the public administration." "Oh, most lame and impotent conclusion!" This is the direct way to perpetuate such struggles—and to give them a peculiarly malignant character. The true, the only cure, is to extend an equal protection to all bodies of religionists, while they conduct themselves like good subjects, without conferring peculiar patronage on any. The bishop, indeed, perceives that the consequences of establishing one church will be, that "the zeal for opinions would be out of measure inflamed by envy and emulation, which the temporal advantages enjoyed by the established church, exclusive of the rest, will always occasion;" and to meet this difficulty, he prescribes "a test law," excluding all but members of the favoured sect from a place in the administration of civil government; that is, to prevent the mischiefs occasioned by one act of injustice—another must be committed. Our prescription

has been followed in the United States of America, where there is fully as much variety of religious opinion as in any country, and fully as much religious zeal and activity. There, religious opinion never interferes with civil tranquillity. And the reason is, the declaration which formed the foundation of the Massachusetts's new constitution, is now embodied in the constitutional law of all the states, "That every denomination of Christians demeaning themselves peaceably and as good subjects of the commonwealth, shall be equally under the protection of the law, and *no subordination of one sect to another shall ever be established by law.*"

"It is matter of devout thanksgiving," says an acute American divine, "that the subject of the rights of civil rulers and the rights of conscience is now settled, and the principle is now understood. In our own land there exists the happy and bright illustration of the true principle on this great subject. The rights of conscience are regarded, and the laws peacefully obeyed. The civil ruler understands his province; and Christians yield a cheerful and cordial obedience to the laws. The Church and State move on in their own spheres, united only in the purpose to make men happy and good; and divided only as they relate to different departments, and contemplate, the one the rights of civil society, the other, the interests of eternity. Here every man worships God according to his own views of duty; and at the same time here is rendered the most cordial and peaceful obedience to the laws of the land. Thanks should be rendered without ceasing to the God of our fathers, for the wondrous train of events by which this contest has been conducted to its issue; and for the clear and full understanding which we now have of the different departments belonging to the Church and the State."—*Barnes' Notes, Explanatory and Practical, on the Epistle to the Romans*, p. 233. 12mo. New York, 1836.

In England, where the bishop's prescription has been followed, how different the result. The second dose, which was intended to cure the disease, has so aggravated the symptoms, that it has been obliged to be discontinued in the repeal of the Test and Corporation Acts—and if the patient, the State, is to be saved from a violent death—the first dose must be withdrawn also, in the dissolution of the establishment. Commutation of tithes—a better administration of church revenues—or even an establishment on less exclusive principles, are all quack medicines. They may abate some of the more alarming symptoms—but they tamper with the vital principles of a healthy state of society—and obstruct the return of that "peace" which, in the public

body as in the individual mind, is, and can only be, "the fruit of righteousness."—*Warburton's Alliance*, Book III. Chap. 1. p. 199. Chap. III. p. 236. Book II. Chap. 2. p. 109. Book III. Chap. 2. p. 207.

Adam Smith, with characteristic sagacity, perceived this:—"In a country where the law favoured the teachers of no one religion more than those of another, it would not be necessary that any of them should have any particular or immediate dependency upon the sovereign or executive power; or that he should have any thing to do either in appointing or in dismissing them from their offices. In such a situation he would have no occasion to give himself any concern about them, farther than to keep the peace among them as among the rest of his subjects."—*Wealth of Nations*, Book V. Ch. 1. vol. iii. p. 207.

LXXXVI.

CIVIL ESTABLISHMENTS OBSTRUCT THE PROGRESS OF CHRISTIANITY.

Foot Note, p. 453, l. 17.—"There is nothing which would make so much for the interest of Christianity, as if the right of liberty of conscience" (which is incompatible with religious establishments), "were known and acknowledged all over the world. For then assuredly by how much more manifest the truth and authority of every religion is, by so much more certainty would it prevail; as we may observe that every religion, by how much more false it is, by so much the more severely and tyrannically it is supported by external violence. Wherefore if it could be agreed upon to take away this external support, false religion and vain superstition would sink, and those bladders and bulrushes being taken from under them, that only would be found to swim whose innate truth was able to bear it up of itself. And such certainly is the naked simplicity of the christian religion, divested of those many incumberments of human invention, both false and useless, wherewith it is so laden that it would not choose but sink, notwithstanding any external support, did not the force of the undeniable truth therein bear up all that luggage which ignorance, hypocrisy, and covetousness have cast upon it. How free and quick passage then would it have, if this burden had once sunk from it, and it were restored to the primordial purity thereof! Surely that religion that got ground so fast, though cruelly persecuted and opposed, could not but make admir-

able progresses, might it but once on equal terms grapple with other religions. I am prone to believe that it would not be long till ‘all the kingdoms of the earth would become the kingdoms of the Lord and his Christ.’”—*Dr H. More’s Grand Mystery of Godliness*, pp. xxviii. xxix.

LXXXVII.

CIVIL ESTABLISHMENTS NOT NECESSARY FOR THEIR ALLEGED
PURPOSE.

WALKER.

Foot Note, p. 453, l. 19.—“The only true religion not only needs not political support, but is absolutely incapable of receiving it; and as to false religion, really statesmen need not be at the trouble of providing it for the people. There is no danger but sinful men, under the workings of a guilty conscience, will frame plenty of it for themselves. When will worldly rulers have sufficient common sense to confine themselves to their proper province, the affairs of this life?”—*Walker’s Essays and Correspondence*, vol. ii. p. 523.

LXXXVIII.

THE ORIGIN OF THE DICTUM “THAT CHRISTIANITY IS PART AND
PARCEL OF THE LAW OF ENGLAND.”

Foot-Note, p. 460, l. 14.—This dictum is not only absurd in itself, but apocryphal in its authority. The following extract from a letter of President Jefferson, at the age of 31, to Major Cartwright, at the age of 34, will probably astonish as well as amuse the reader. “I was glad to find in your book a formal contradiction, at length, of the judiciary usurpation of legislative powers; for such the judges have usurped, in their repeated decisions that Christianity is a part of the common law. The proof of the contrary which you have adduced is incontrovertible; to wit, that the common law existed while the Anglo-Saxons were yet pagans; at a time when they had never yet heard the name of Christ pronounced, or knew that such a character had ever existed. But it may amuse you to show when and by what means they stole this law in upon us. In a case of ‘quare impedit,’ in the Year Book 34, H. 6, fo. 38 (1455), a question was made, how far the ecclesiastical law was to be respected in a common law court. And Prisot gives his opinion in these words, ‘A tiel leis que ils de seint eglise ont en *ancien scripture*, covient a nous a donner

credence ; car ceo common ley sur quels tous manners leis sont fondez—et auxy, Sir, nous sumus obliges de conustre leur ley de saint eglise ; et semblablement ils sont obliges de conustre nostre ley ; et Sir, si poit apperer or a nous que l'evesque ad fait come un ordinary fera en tiel cas, adonq nous devons ceo adjuger bon, ou auterment nemy,' &c.—*See S. C. Fitzh. Abr. qu. imp. 89. Bro. Abr. qu. imp. 12.* Finch, in his first book, c. 3, is the first afterwards who quotes the case, and misstates it thus :—‘ To such laws of the church as have warrant in *holy scripture*, our law giveth credence ;’ and cites Prisot, mistranslating ‘ancien scripture’ into ‘holy scripture,’ whereas Prisot palpably says, ‘ To such laws as those of holy church (i. e. churchmen), have in ancient writing, it is proper for us to give credence ; to wit, to their ancient written laws.’ This was in 1613, a century and a half after the dictum of Prisot. Wingate, in 1658, erects this false translation into a maxim of the common law, copying the words of Finch, but citing Prisot. Wingate, max. 3, and Sheppard, tit. ‘Religion,’ in 1675, copies the same mistranslation, quoting the Y. B., Finch, and Wingate. Hale expresses it in these words, ‘Christianity is parcel of the laws of England,’ 1 *Ventr.* 293, 3 *Keb.* 607, but quotes no authority. By these echoings and re-echoings from one to another, it had become so established in 1728, that in the case of the King, v. Woolston, 2 *Str.* 834, the Court would not suffer it to be debated, whether to write against Christianity was punishable in the temporal courts at common law. Wood, therefore, 409, ventures still to vary the phrase, and says that all blasphemy and prophaneness are offences by the common law, and cites 2 *Str.*; then Blackstone in 1763, iv. 59, repeats the words of Hale, that ‘Christianity is part of the law of England,’ citing *Ventris* and *Strange* ; and finally, Lord Mansfield, with a little qualification in *Evans’* case in 1767, says ‘that the essential principles of revealed religion are parts of the common law,’ thus engulfing Bible, Testament, and all, into the common law, without citing any authority. And thus we find this chain of authorities hanging link by link one upon another, and all ultimately on one and the same hook ; and that a mistranslation of the words ‘ancien scripture,’ used by Prisot. Finch quotes Prisot ; Wingate does the same. Sheppard quotes Prisot, Finch, and Wingate ; Hale cites nobody ; the Court in Woolston’s case cites Hale ; Wood cites Woolston’s case ; Blackstone quotes Woolston’s case and Hale ; and Lord Mansfield, like Hale, ventures it on his own authority. Here I might defy the best read lawyer to produce another scrip of authority for this judiciary forgery ; and I might go on fur-

ther to show how some of the Anglo-Saxon priests interpolated into the text of Alfred's laws, the 20th, 21st, 22d, and 23d chapters of Exodus, and the 15th of the Acts of the Apostles, from the 23d to the 29th verses. But this would lead my pen and your patience too far. What a conspiracy this between Church and State!"—*Letters and Correspondence of Major Cartwright*, vol. ii. pp. 271–274. Lond. 1826.

In verifying the above extract from the Year Book by the help of a friend learned in that kind of lore, I find President Jefferson or Miss Cartwright have made some slight mistakes. The following is a correct transcript of the passage referred to. A tielx leys que eux de saint esglise ont en auncient scripture covient pur nous a doner credence, car ceo est comen ley sur quels tous manners leis sont fondues. Et auxi Sir nous sumus obliges de conustre lour ley de saint esglise. Et semblablement ils sont oblige de conustre nostre ley. Et Sir si poit appiere ore a nous que l'evesque ad fait come un ordinarie ferra en tiel cas, adonques nous diomus ceo adjudger pur bon ou auterment nemy, &c. Y. B. Paschæ 34. Hen. 6 (1456) Bohme v. Bishop of Lincoln, and oysr in quare impedit, p. 40, Prisot. My friend whose legal learning is not his principal recommendation, remarks, that "there is some ambiguity in the expressions, but on reading the case it seems clear that 'auncient scripture' means the ancient written laws of the Church, viz., the canon law,—the common law of the Church. I have my doubts, however, whether the whole stress of the dictum that 'Christianity is part and parcel, &c.', ought not to be laid upon Lord C. J. Hale's shoulders solely. He could not be misled by translations. He had the year-books at his finger ends, and knew well the meaning that should be put on the words in question. The doctrine is the issue of his own brain, and was owing to his education among the puritans, for you know how they jumbled the two testaments together, and made up a mixture of the Civil, and Christian, and Jewish laws, which showed itself in their speeches and sermons, and in their conduct to those who differed from them. Judge Hale enforced the laws against witchcraft," &c.

LXXXIX.

THE LEGITIMATE CLAIMS OF THE CHRISTIAN CHURCH ON THE
CIVIL POWER.

COLERIDGE.

Foot-Note, p. 462, l. 6.—"The Church of Christ asks of the State neither wages nor dignities. She asks only protection, and to be let

alone. These indeed she demands; but even these only on the ground that there is nothing in her constitution, or in her discipline, inconsistent with the interests of the State, nothing resistant or impedimental to the State in the exercise of its rightful powers, in the fulfilment of its appropriate duties, or in the effectuation of its legitimate objects. It is a fundamental principle of all legislation, that the State shall leave the largest portion of personal free agency to each of its citizens that is compatible with the free agency of all, and not subversive of the ends of its own existence as a State. And though a negative, it is a most important distinctive character of the Church of Christ, that she asks nothing for her members, as Christians, which they are not already entitled to demand, as citizens and subjects."—*Coleridge on the Constitution of the Church and State, according to the idea of each*, pp. 125, 126. Lond. 1839.

How happy would it have been for the Church and the world had the eulogium of the heathen historian on the emperor Valentinian, been applicable to all possessors of civil power. "Hoc moderamine principatus inclaruit, quod inter religionum diversitates medius stetit: nec quenquam inquietavit neque ut hoc coleretur imperavit aut illud: nec interdictis minacibus subjectorum cervicem, ad id quod ipse coluit inclinabat: sed intemeratas reliquit has partes ut reperit."—*Ammianus Marcellinus*, Lib. xxx. c. 19. For his notions of toleration, Valentinian deserves great praise. It is an honour, as Jortin remarks, which no christian emperor of those times has any right to share with him.

XC.

LUTHER'S NOTION OF HUMAN DEFENCES OF CHRISTIANITY AND THE CHURCH.

To be added to Foot-Note †, p. 461.—Luther's sarcastic words are not inapplicable. "The world is gone mad. There are the Hungarians assuming the characters of the defenders of God himself. They pray in their litanies, 'ut nos defensores tuos exaudire digneris.' Why do not some of our princes take on them the protection of Jesus Christ, others that of the Holy Spirit? Then, indeed, the divine Trinity would be well guarded."—"Who is the Church's protector, that hath promised to be with her to the end, and the gates of hell shall not prevail against her? Kings, Diets, Parliaments, Lawyers? Marry, no such cattle."—*D'Aubigné's History of the Reformation. Luther's Mensalia.*

XCI.

BISHOP CROFTS ON THE NEEDLESSNESS OF AN ESTABLISHMENT.

Foot-Note, p. 463, l. 12.—The truth respecting the needlessness of an Establishment to serve its great avowed purpose with regard to Christianity and the Church, has seldom been better stated, than by an amiable prelate of the Church of England, who had the rare merit of being tolerant and liberal in an intolerant and illiberal age,—Herbert Crofts, Bishop of Hereford. “In the primitive times, when the whole world of Jews and Gentiles were enemies to the Church, and not one of your ceremonies to preserve it, the simple naked truth without any surplice to cover it, without any ecclesiastical policy to maintain it, overcame all; and so it would do now did we trust to it, and the defender of it.”—*The Naked Truth, or the True State of the Primitive Church. By a humble Moderator.* P. 17. Lond. 1675. Bishop Croft was attacked by many High Churchmen, and a Dr Turner was peculiarly bitter in his “animadversions.” His insolence provoked Andrew Marvell to chastise him, and he enjoys an unenviable immortality in the witty pages of Marvell’s publication, entitled “Mr Smirke, or the Divine in Mode, being certain annotations upon the animadversions on the Naked Truth, by Andreas Rivetus, Jun. Anagr. Res nuda veritas. Nuda sed magna est veritas et prævalebit. Printed Anno Domini MDCLXXVI.”

The same important sentiment is finely expressed in an article in the Edinburgh Review, which has been generally ascribed to Thomas B. Macaulay, Esq. “The ark of God was never taken, till it was surrounded by the arms of earthly defenders. In captivity, its sanctity was sufficient to vindicate it from insult, and to lay the hostile fiend prostrate on the threshold of his own temple. The real security of Christianity is to be found in its benevolent morality, in its exquisite adaptation to the human heart, in the facility with which its scheme accommodates itself to the capacity of every human intellect, in the consolation which it bears to the house of mourning, in the light with which it brightens the great mystery of the grave. To such a system it can bring no addition of dignity or of strength, that it is part and parcel of the common law. It is not now for the first time left to rely on the force of its own evidence, and the attractions of its own beauty. Its sublime theology confounded the Grecian schools in the fair conflict of reason with reason. The bravest and wisest of the Cæsars found their arms and their policy unavailing

when opposed to the weapons that were not carnal, and the kingdom that was not of this world. The victory which Porphyry and Diocletian failed to gain, is not to all appearance reserved to any of those who in this age have directed their attacks against the last restraint of the powerful, and the last hope of the wretched. The whole history of the Christian religion shows that she is in far greater danger of being corrupted by the alliance of power, than of being crushed by its opposition. Those who thrust temporal sovereignty upon her, treat her as their prototypes treated her author. They bow the knee, and spit upon her; they cry hail! and smite her on the cheek; they put a sceptre into her hand, but it is a fragile reed; they crown her, but it is with thorns; they cover with purple the wounds which their own hands have inflicted on her; and inscribe magnificent titles over the cross on which they have fixed her to perish in ignominy and pain.”—*Edinburgh Review*, Jan. 1830.

XCII.

ESTABLISHMENTS A BAR IN THE WAY OF THE UNITY OF THE CHURCH.

HOPPUS.

Foot Note, p. 464, l. 6 from the foot.—“ The gigantic dominion of Rome, under the image of visible unity, was the consummation of the greatest of all corruptions in the church; the standing power of the civil magistrate to enact laws for the same unity, is, as we deem, only a second and milder form of the same evil—the chronic and inveterate evil of human legislative authority in the church. On the principle of this authority, the chief magistrate, however unchristian and immoral his character may be, is, as a matter of course, the legislative head of the church, the visible unity of which has no solid basis, but is liable to be as shifting and variable as the laws of a nation, the humour of princes, or the secular interests of society. The magistrate may, in connexion with the legislature, frame and enforce laws which shall have the effect of keeping back for ages that visible moral unity, which is destined one day to distinguish the professing church of Christ, and to be the instrument of salvation to the world. For it cannot be too carefully borne in mind, that in the solemn moments which preceded the scenes of Gethsemane and the cross, Jesus prayed that all his disciples might be ‘one,’ and he added, ‘that the world may believe that thou hast sent me, and hast loved them as thou hast

loved me.' Now, the peculiar mark and visible sign of this *oneness* was not placed in external forms and ceremonies, but in 'love.' 'By this shall all men know that ye are my disciples if ye have love one to another.'* But to pronounce what Christ has left free and undetermined, *essential* to the visible unity of the church; to prescribe, for this purpose, forms and ceremonies which he has not prescribed, is not regarded by all Christians as presumptuous only because it is so familiar. This procedure cannot fail, in a multitude of instances, to mar charity by wounding the minds of the most upright men, even though there should be a free 'toleration' to religious opinions."—*Professor Hoppus on Schism*, pp. 180, 181. Lond. 1839.

XCIII.

DISSOLUTION OF CIVIL ESTABLISHMENTS NECESSARY TO PREPARE
FOR THE MILLENNIAL GLORY.

DR MORE. BISHOP WATSON.

Foot Note to l. 1 from the foot, p. 465.—"These good times, which we expect and hope for, will not be the exaltation of this or that sect: For the childish conceit of some is, that the future prosperity of the church will be nothing but the setting up this form or that opinion, and so every faction will be content to be Millennists, upon condition that Christ may reign after their way or mode: But the true happiness of those days is not to be measured by formalities or opinions, but by a more corroborated faith in Christ and his promises, by devotion unfeigned, by purity of heart and innocency of life, by faithfulness, by common charity, by comfortable provisions for the poor, by cheerful obedience to our superiours, and abundance of kindness and discreet condescension one to another, by unspotted righteousness and an unshaken peace, by the removal of every unjust yoke, by mutual forbearance, and bearing up one another, as living stones of that temple, where there is not to be heard the noise of either axe or hammer, no squabble or clamour about formes or opinions, but a peaceable study and endeavour of provoking one another to love and good works."—*Dr Henry More's Explanation of the Grand Mystery of Godliness*. Pref. pp. xvi. xvii. Fol. Lond. 1660.

That the destruction of civil establishments, and indeed of these political institutions which have so interwoven themselves with these establishments is necessary to the final triumph of Christianity, is the decided opinion of that able prelate, Bishop Watson, whose liberal

* John xiii. 35.

principles prevented him from ever being raised to any of the richer and more influential sees, and made him die a Welch bishop. The following striking sentences were written in 1788:—" Though a general view of the state of mankind at this time, when the colonies and commerce of Christian nations have encompassed the whole earth, when Babylon the Great seems falling, and all the states of Europe manifest plain tokens of an internal decay, compared with the prophetic writings of Daniel and St John concerning the latter times, and illustrated by the standing miracle of the Jewish dispersion, and the great apostacy and corruption of the Christian church, might probably, to a cool and comprehensive mind, exhibit the arm of the Lord naked in the cause of Christianity ; yet doth not its full establishment seem near at hand. The greatest nations of the East have scarcely heard of the gospel of Christ, nor hath it been any where received but as either polluted with Pagan superstitions, or debased by the beggarly elements of Judaical ceremonies ; its purity and simplicity hath been every where depreciated ; it hath been made a ladder of ambition by churchmen ; an engine of government by statesmen ; and though by its reciprocal action, it hath strengthened the bonds of society, yet hath its spirit been depressed and weighed down by the earthly principles of every civil institution ; all of which, when it shall exert its full activity, it will ' break to pieces with a rod of iron ;' the stone which was cut out without hands shall in the season which is known to ' the ancient of days,' and to none besides, smite thoroughly both ' the iron' and ' the clay,' reduce as small ' as the chaff of the summer thrashing-floor,' every stately image of political power, ' become a great mountain, and fill the whole earth.'" Sermon on 1 Cor. vi. 7.—*Sermons and Tracts*, pp. 10, 11.

XCIV.

ABSURDITY OF CIVIL ESTABLISHMENTS.

WHICHCOTE. PARRY. DR SAMUEL CLARKE. ROBINSON.

Foot Note, p. 468, l. 7.—" To use *power* to control the principles of human nature (the use of *reason*, the exercise of *liberty*), is as strange a *phenomenon* as to cross or pervert the common course of natural agents ; to bring the sun back again, or to make it fill the world with darkness. God does not do this ; if he did he would contest with himself ; his *power* would rise up against his *wisdom* ; and he would disparage and frustrate his own workmanship. Why should we think to

do that which God will not do,—to overbear Reason with violence.”—*Whichcote’s Moral and Religious Aphorisms*, Cent. I. No. 38.

“The human mind is so formed as to be convinced by evidence and argument, and cannot receive a conviction of truth by any other means. How absurd the attempt, therefore, authoritatively to impose upon it articles of faith or rites of worship.”—*Parry’s Thoughts on Penal Religious Statutes*, p. 12. Lond. 1791.

“To attempt to influence the will by force, is like applying sounds to the eyes in order to be seen, or colours to the ears in order to be heard. The absurdity in both cases is exactly the same, for, as nothing affects the eyes but light,—nor the ears but sounds, so nothing affects the understanding and the will but reason and persuasion.”—DR SAMUEL CLARKE, *Serm. CIV. Works*, vol. i p. 662. Fol. Lond. 1742.

“Dominion over faith is the most absurd and impious claim, that ever was set up by bad men : absurd because it can never be obtained ; and impious, because it subverts that very principle on which all religion is founded.”—*Robinson’s Claude*, vol. ii. p. 291. Lond. 1788.

XCV.

INJUSTICE OF CIVIL ESTABLISHMENTS.

BISHOP WARBURTON.

Foot Note, p. 468, l. 14.—It deserves notice, that Bishop Warburton explicitly states and clearly demonstrates, that a civil establishment, based on the principle of *religious* truth, and not of *civil utility* (and this is the character of our establishments, if we may believe Ewart Gladstone), is both *unjust* and *absurd*.—*Alliance*, Book III. Chap. 4, pp. 248–252. He succeeds much better in proving this thesis than in making out its counterpart—that a civil establishment, based on the principles of civil utility, and not of religious truth, is equitable and wise.

XCVI.

TOLERATION INDEFENSIBLE ON POLITICAL GROUNDS.

*To be added to Note **, p. 468.—In a political point of view, toleration is not more defensible. “There is no medium : either admit a national religion, subject all your laws to it, arm it with the temporal sword, banish from your society all those who profess a different form of worship, or else admit every man to enjoy his religious

opinion, and do not exclude from public trusts those who make use of that permission. A system of toleration, attended with humiliating distinctions, is so vicious in itself, that the man who is forced to tolerate is as much dissatisfied with the law, as he who obtains such imperfect toleration."—*Count Clermont Tonnerre*.

XCVII.

A CIVILLY ENFORCED MAINTENANCE OF THE CHRISTIAN MINISTRY—A VIRTUAL REPEAL OF ONE OF CHRIST'S LAWS.

Foot-Note, p. 478, l. 4.—Dr Warburton admits (*Alliance*, Book ii. Chap. iv. p. 181), that "the Christian church is debarred from entering into any alliance with the State, that may admit any legislator into Christ's kingdom but himself, which would indeed make his kingdom of this world." Now Christ has ORDAINED that his ministers be maintained by the voluntary contributions of those to whom they minister, whereas, according to the Bishop (Book iii. Chap. iii. p. 243), "one of the essential privileges of an Established Church is a public maintenance from the State, in reward for their services in teaching the people virtue and obedience." Is it not plain then, that in the very act of entering into an alliance with the State, the Church admits a legislator, who repeals one of Christ's laws, and substitutes one of his own in its room.

"If it be thought," says Milton, "that the magistrate ought to settle by statute some maintenance of ministers, let this be considered, first, that it concerns every man's conscience, to what religion he contributes; and that the civil magistrate is entrusted with civil rights only; not with conscience, which can have no deputy or representer of itself, but one of the same mind; next, that which each man gives to the minister, he gives either as to God, or as to his teacher; if, as to God, no civil power can justly consecrate to religious uses any part either of civil revenue, which is the people's, and must save them from other taxes, or of any man's property, but God, by special command, as he did by Moses, or the owner himself, by voluntary intentions, and the persuasion of its giving it to God. Forced consecrations, out of another man's estate, are no better than forced vows, hateful to God, who 'loves a cheerful giver:' but much more hateful, wrung out of men's purses, to maintain a disapproved ministry against their conscience; however unholy, infamous, and dishonourable to his ministers, and the free gospel maintained in such unworthy manner as by violence and extortion. If he gives it as to

his teacher, is it justice or equity which compels him to pay for learning that religion which leaves freely to his choice, whether he will learn it or no, whether of this teacher or of another, and especially to pay for what he never learned or approved not; whereby, besides the wound of his conscience, he becomes the less able to recompense his true teacher?"—*Milton's Likeliest Means to Remove Hirelings out of the Church. Works, Vol. i. p. 576.*

XCVIII.

VOLUNTARY SUPPORT NOT ONLY THE LAW BUT THE PRACTICE OF
THE PRIMITIVE CHURCH.

DE MARCA. CONDER.

*To be added to Foot-Note *, p. 479.*—The financial law of the church was strictly adhered to for the first three centuries. "Vetus Ecclesia," says the learned De Marca, "nullis aliis redditibus ad supeditandas expensas alendis episcopis et clericis, sive etiam pro juvanda inopum paupertate necessarias, fruebatur, præter oblationes fidelium quæ ut adnotavit Irenæus, consueque assurgebant ut decimam reddituum partem egrederentur, quo manifestum omnibus esset charitatem Christianorum longe esse supra Judæorum pietatem."—*De Concordia Sacerdotii et Imperii, L. viii. c. 18, tom ii. p. 418.*

"The first ministers of Christianity disdained the reluctant tribute of those on whom the motives of the gospel had no power. In their view the disposition of the giver was every thing. 'Every man, according as he purposeth in his heart, not grudgingly, nor of necessity.' No specific sum was exacted, no kind of compulsive authority employed; they contented themselves with simply appealing to the generosity—the gratitude of believers: 'If we have sown unto you spiritual things, is it a great thing if we shall reap your carnal things?' Surely there was nothing miraculous in this method of providing for 'the preservation and communication of religious knowledge.' Whence, then, has it arisen, that Christianity has lost its divine power of enforcing its own claims upon the hearts of men, so as to be driven to throw herself on the patronage of the secular power for a maintenance in the world? How is it to be explained that the inspired writers did not foresee, or foreseeing, did not provide for this delicate crisis in the affairs of the Church, which should necessitate so essential a change in her constitution, as is involved in the superseding of all voluntary demonstrations of obedience in the members of the christian fellowship, by substituting for religious

motives the obligations of human law? ‘Let him that is taught in the word,’ says the Apostle, ‘communicate in all good things to him that teacheth;’ but this precept, together with the motive by which it is enforced, is virtually abrogated by enactments, which designedly render the teacher wholly independent of his people, lifting him at once above their control, their moral claims, and their gratitude.”—*Conder on Protestant Non-Conformity*, Book iv. Vol. ii. pp. 559, 560. Lond. 1818.

XCIX.

THE IMPORTANCE OF CHRISTIAN CHURCHES BEING FORMED
OF PROPER MATERIALS.

DR HENRY MORE.

Foot-Note, p. 490, l. 6 from foot.—“Church discipline is as a fort or castle of excellent use, if it be in the hands of the faithful soldiery of Christ, or as a safe vessel for precious liquor, or as restraining and corroborative physic, where there is an unexpected evacuation of the serviceable supports of life. But if traitors to the kingdom of Christ get possession of this castle, poison be mingled with this precious liquor, and foul and malignant humours be lodged in the body, it were more desirable the castle were ruined, the vessel broken, the physic cast down the sink, and the body left free to the course of nature, than that things so hateful and pernicious should be continued and conserved by them: that is to say, it were better that christian religion were left to support itself, by the innate evidence of its own truth, than, being sophisticated with vain lies and wicked inventions, be forcibly maintained for other ends than it was intended for, nay be made to serve contrary ends, and prove a mystery of tyranny and ungodliness.”—*Dr H. More’s Grand Mystery of Godliness*, Pref. pp. xviii. xix. Fol. Lond. 1660.

C.

COMPARATIVE EFFICIENCY OF THE VOLUNTARY AND COMPULSORY
SYSTEMS BROUGHT TO THE TEST OF EXPERIMENT.

*To be added to Foot Note *, p. 495.*—The Christian Church, as originally constituted by her lord and king, presented truths and privileges to the examination and acceptance of the world lying under the dominion of the wicked one, and employing only the appropriate means of argument and persuasion, provided for them the means of

instruction : "The Establishment," as the good Vicar of Harrow says, "remembers that man is fallen, *forces him to provide the means*, and *trusts* that the conversion may follow."* Which is the better plan? Let common sense, experience, and Scripture reply. Take the results of the two first centuries, when the Christian church used her Lord's plan with the Pagan world, and of the two last centuries† during which the Episcopal Establishment has been trying their plan with Roman Catholic Ireland, as exemplifications of the comparative efficiency of the two systems. "Look here upon this picture and on this." On the one hand, we have a few poor unlettered men, commencing the propagation of a new religion, opposed by all the religion, all the philosophy, all the political wisdom and power in the world, in the course of two centuries effecting such a change, that Tertullian, towards the close of that period, in addressing the Pagan Emperor, could say, "We are but of yesterday, yet we have filled your cities, islands, towns, and boroughs. The camp, the senate, and the forum, are full of us, we have left you only your temples."—*Tertull. Apol.* c. 37. On the other hand, we have a numerous, educated, richly endowed clergy, supported by the whole weight of the secular powers, employed to convert the population of a single country to a somewhat less corrupt form of Christianity,—after two hundred years, with many completely empty churches, hundreds of parishes, where there is absolutely not one Episcopal Protestant to take charge of,—seven-eighths of the population more the slaves of Roman superstition than ever,—and, but for the help of dissent, which has been placed in peculiarly unfavourable circumstances for efficient exertion, it seems certain, that, by this time, there would scarcely have been a Protestant in Ireland, except the patrons and the incumbents, of the richly endowed Ecclesiastical Establishment, and those entirely dependent on them. Ah! "the foolishness of God is wiser than men, and the weakness of God is stronger than men."—"If any man," in forming plans for promoting Christianity, "seem to be wise in this world, let him become a fool, that he may be wise, for the wisdom of the world is foolishness with God."‡

* Cunningham's Velvet Cushion, p. 88.

† The two centuries are expired. George Brown, the first Protestant Irish Archbishop, was consecrated in March 1534-5, and constituted Primate of all Ireland, October, 1551.

‡ 1 Cor. i. 25 ; iii. 18, 19,

CI.

SIMON BROWNE ON THE EXERCISE OF CIVIL POWER IN RELIGION.

Addition to Note V. p. 507.—"I meet with no directions in the New Testament for magistrates to interpose in religious disputes, or to require the belief (profession I mean, for it can go no farther), of what they judge right: . . . And in nature I cannot see why one magistrate should claim this power more than another; a Christian more than a heathen or Mohammedan, or one Christian more than another. But if all magistrates may claim and exercise this power, Christianity must in most countries be enjoined silence; and in most christian countries error will be declared truth." . . . "By these means" (the exercise of civil power), "men may possibly be induced to make a profession of Christianity without believing it; but this can do no good to them, nor bring any credit to it. It is the excellency of a religion in itself, recommending it to a man's own reason and sober judgment, that can alone lay a foundation for its just esteem, and make a way for it into the heart: And this is the only *establishment* of it, that is pleasing to God or of benefit to men. The mere profession without this is worthy no christian man's, or minister's, or magistrate's concern, either as a lover of God or mankind. Yet this is all the religion such measures are fitted to promote; and this is all they, who take them if they are wise men, can be supposed to have in view: Not religion in truth, but the name and profession of it, and perhaps the honours and profits in christian countries annexed to it. The dishonest unmeaning profession of Christianity may serve the worldly ends and interests of christian ministers [an established clergy] but God can have no glory, nor Christianity any credit from such professors, nor themselves any spiritual advantages from such profession."—*Browne's (Simon) Fit Rebuke to a Ludicrous Infidel*. Pref. pp. vi. vii. viii. Lond. 1732.

The author of the above shrewd remarks was a dissenting minister of deserved eminence about the beginning of last century. The ingenious and satisfactory controversial tract, in opposition to Woolston's attack on our Saviour's Miracles, just cited, was, as well as his larger work, in reply to Dr Tindal's "Christianity as Old as the Creation," "A Defence of the Religion of Nature and the Christian Revelation," written under the depressing influence of mental disease, in perhaps the strangest form it ever assumed,—a conviction that the thinking substance in him had been gradually annihi-

lated, and that though he retained the faculty of speaking what appeared to others rational, he had no more notion of what he said than a parrot. In a dedication to Queen Caroline, of this last work, he describes with great powers of language his singular malady. This most interesting psychological curiosity—was, as a matter of course, prevented by his friends from appearing in the front of his learned and able work, but has been happily preserved in the *Adventurer*, No. 88. The preface from which the above quotation is made, is a most enlightened argument against the magistrate interfering in religious disputes, and discovers a mind far in advance of the great body even of his dissenting brethren of that age, who were generally strenuous supporters of the penal laws against blasphemy.

CII.

ADVANTAGES OF THE VOLUNTARY SYSTEM CONTRASTED WITH THE
COMPULSORY SYSTEM.

GISBORNE.

To be inserted after l. 7, p. 518.—"The disadvantages," says that most enlightened and liberal churchman, "attached to church establishments are the following. They afford encouragement in some respects to idleness; as individual clergymen may be considerably remiss in the discharge of several of their functions, and considerably reprehensible in their mode of life without incurring any diminution of their incomes. * * * Church establishments have also the inherent defect of biassing the judgment and ensnaring the consciences of the clergy, by the temptations which they unavoidably hold out to them, to strive to comply with the terms and subscriptions required; temptations which must be expected to lead in many instances to prevarication and insincerity. * * * And finally, church establishments tend to foster in the breasts of their members, and perhaps of their ministers in particular, bigotry, narrowness of mind, unreasonable prejudices, and a want of toleration and charity towards all who dissent from the national religion." Mr Gisborne distinctly states that a civil establishment of religion is a mere "human arrangement," and defends it only on what we hold to be the utterly untenable ground, that its "substantial benefits" abundantly overbalance its "undesirable consequences."—*Gisborne's Duties of Men*, c. xi. vol. ii. pp. 19-22.

CIII.

ADVANTAGES OF THE VOLUNTARY SYSTEM CONTRASTED WITH THE
COMPULSORY SYSTEM.

FREEMAN.

To be added to Note IX. p. 518.—The superiority of the Voluntary mode of supporting religious institutions, to even the least objectionable form of the compulsory mode, is very strikingly shown in the following extract of a letter from the Rev. Charles Freeman, Secretary of the General Conference of Maine, United States, to the Congregational Union of England and Wales :—" The laws of the several New England States required, until within about twenty-five years, that every town should support a learned orthodox minister, and that every man should be connected with some religious society of his own choice, and pay a tax somewhere, for the support of public worship ; but these laws have been repealed, and entire liberty in religion is now enjoyed. The consequences of the repeal of all laws for the support of religion were greatly dreaded by many ministers and members of our churches ; but they have been most salutary, rather than mischievous. The burden of supporting the ordinances of the gospel is indeed borne more exclusively by the truly religious ; but, in consequence of this, more interest is taken by them in this subject ; a more evangelical ministry is demanded ; more religious zeal is felt ; ministers are more independent of the unbelieving world ; and less popular prejudice exists against educated and well supported preachers, as hirelings or a privileged class. Our ministers enjoy the support and sympathy of an affectionate and liberal people ; our communicants are increased, and new churches gathered ; and, though much is needed to be done to supply with religious privileges the growing population of our country ; yet we can rely on no better means than the voluntary efforts of those who know the value of the gospel."—*Ecclesiastical Journal*, vol. i. pp. 5, 6. Lond. 1835.

A still more striking proof of the superiority of the practical working of the Voluntary principle is to be found in the statement of the Committee of the New York Legislature, on Colleges, Academies, and Common Schools, given in, January 28, 1839.—" Your committee, in common they believe with nearly the whole body of their fellow citizens, would regard it as the deepest of calamities, if religion, the Christian religion, should fall under the protection and patronage

of political power. That religion is in its nature free ; it cannot take support from law, without losing its lustre and purity : it is in its very essence and spirit to demand none but a voluntary worship, and allow none but a voluntary support."—*New York Observer*, Feb. 1839.

CIV.

ADDITIONAL STATEMENT OF VOLUNTARIYISM BY DR CAMPBELL.

To be inserted at p. 522, l. 7.—An equally clear statement of Voluntary Principles, is to be found in the Principal's "Lectures on Ecclesiastical History."—"Men have been very long in discovering, and even yet seem scarcely to have discovered, that true religion is of too delicate a nature to be compelled, by the coarse implements of human authority and worldly sanctions. Let the law of the land restrain vice and injustice of every kind, as ruinous to the peace and order of society, for this is its proper province ; but let it not tamper with religion, by attempting to enforce its exercises and duties. These, unless they be free will offerings, are nothing ; they are worse. By such an unnatural alliance and ill-judged aid, hypocrisy and superstition may indeed be greatly promoted ; but genuine piety never fails to suffer."—*Campbell's Lectures on Ecclesiastical History*, Lect. III. p. 42. Lond. 1824.

CV.

INCONSISTENCY OF DR CAMPBELL'S CONTINUANCE IN AN ESTABLISHMENT.

To be added after the Quotation from him, p. 522.—The Principal's words respecting the celebrated Sarpi, may, with great propriety, be applied to himself. "Why he continued in that communion, as I judge no man, I do not take upon myself to say,—as little do I pretend to vindicate it." Perhaps what he assigns as the probable reason of the conduct of the historian of the Council of Trent, in continuing in the communion of the Church of Rome, was also the reason of his continuing in the communion of the Established Church of Scotland : "There was no Protestant sect then in existence, with whose doctrine his principles would have entirely coincided. A sense of this, as much as any thing, contributed to make him remain in the communion to which he originally belonged."—*Lectures on Ecclesiastical History*, Lecture III. p. 47. Lond. 1824.

CVI.

MR GLADSTONE'S OPINION OF DR CHALMERS' LECTURES.

Foot-Note, p. 531, l. 17.—"The profuse and brilliant eloquence of Dr Chalmers, and the warm heart from which its colouring is chiefly derived, have necessarily contributed to render the scientific development of his views less accurately discernible, than it would have been, had he written more apathetically."—*The State in its Relation with the Church*, by W. E. Gladstone, Esq. Lond. 1838.

CVII.

MISTAKEN INTERPRETATION OF ROM. XIII. 1-7, BY THE FRIENDS OF CIVIL FREEDOM.

ANDREW MELVILLE.

To be introduced before l. 6, p. 232.—Andrew Melville, who, as Izaak Walton, no friend, says, was "master of a great wit, exceeded by none of that nation but their Buchanan" (*Walton's Lives*. Zouch's Edition, p. 337, note. 4to. York, 1796), resembles his illustrious friend, whom he terms "suum Preceptorem et Musarum Parentem," in his ardent love of liberty, and in his misinterpretation of the thirteenth chapter of the Romans. I have been favoured with the perusal of a manuscript, entitled, "Commentarius in divinam Pauli Epistolam ad Romanos, auctore Andrea Melvino, Scoto." It is contained in a small quarto volume, of which it fills 120 leaves,—the leaves, not the pages, being numbered. It is written in a very distinct and beautiful hand. On the first page of the 121st folio, after quotations from Ignatius' Epistle to the Ephesians, and Scaliger's Poetica, these words are written:—"Finis quem imposuit Anno 1601, 26 Julii;" and in a smaller character, with other ink, and apparently at a somewhat later period, but seemingly in the same hand, there is written above this line these words,—“Daniel Demetrius octo dierum spatio exemplar Andr. Melvini, secutus,”—and below it, the words “Andreapoli in Scotia.” I find that Dr M'Crie (*Life of Melville*, vol. ii. p. 513, Edin. 1819), states, that Charters (*Account of Scots Divines*, p. 4), says, that there is a copy of a Latin commentary by Melville, in the library of the Students of Divinity in Edinburgh, and that Wodrow (*Life of Melville*, p. 111), says, “I have seen also in the library of the College of Glasgow, a large folio, entitled *Praelectiones in Epistolam ad Romanos*, in small write, said to be writ by Mr Melvil.” Dr

M'Crie adds, "Neither of these MSS. is now to be found." Of the genuineness of this MS. there can be no reasonable doubt. The writing is that of the age. It seems to be a transcript from Melville's own autograph by one of his students, probably a foreigner. The owner of the MS., David Laing, Esq., so well known as deeply skilled in bibliography generally, and especially in the ancient bibliography of this country, informs me that Dr M'Crie saw the MS. a short time before his death, and was greatly pleased with it. It is valuable on other grounds than as a curiosity. The exegesis in many cases is most satisfactory. In the *locus vexatus*, Rom. i. 17, he anticipates the interpretation now so generally received, in connecting *ἐκ πίστεως* with *δικαιοσύνη*, and rendering *εἰς πίστιν*, "in order to faith" or "to be believed." The publication of the MS., with notes, would be doing honour to Melville, and service to the cause of sound biblical interpretation.

That he considered the apostle as speaking of civil government and governors, not as they were, but as they ought to be, is very plain from the following passages:—"A Deo est Magistratus legitimus, quem potestatem vocat *ἐξουσίαν* legitimam, non ex legem aut effrenem licentiam. P. Melanthon. "Potestas a personis discernenda: amabat enim Paulus politiam et potestatem, sed Caligulam et Neronem execrabatur, tanquam monstra naturæ, organa Diaboli, et pestes humani generis." *Τας οὐσας ἐξουσίας* vocat, quasi dicat *τας οὕτως ἐξουσίας*, quæ reapse potestates sunt, et hoc nomen merentur. Unde impiam et injustam tyrannidem, quæ nec a Deo est, quatenus talis, nedum secundum divinum ordinem, excludit ut illegitimam ab hac legitima obedientia, nisi siquando visum Deo, vel suis etiam tyrannum imponere, tanquam ferulam paternam ad castigationem, tum profecto et his parendum, si quid neque impium in Deum, neque injustum in alios imperat; alioqui defugienda autoritas. Magistratus de quibus loquimur, non sunt tyranni importuni, sed benefici et justī principes apud quos ut malis supplicia, ita bonis præmia sunt constituta. Boni principes et legitimi magistratus sunt, de quibus hic agitur et quos depingit graphice Apostolus, et quibus debetur omnis legitima obedientia." He interprets *ὑπο τοῦ Θεοῦ τεταγμεναι*, "non tam A Deo, quod jam dictum fuit, quam sub Deo ordinatas potestates—*ὑπο γῆς*. Theoc. *ὑπο χθονος*. Hesiod. *ὑπο μαλῆς*. [Xenoph.] *ὑπο στερνιοιο*. Hom. *Αἰγυπτος δὲ παλιν ἐγενετο ὑπο βασιλεως*. Sub rege Persarum. Thucyd."

CVIII.

CHURCH PROPERTY.

JOHN WYCLIFFE.

To be inserted p. 391.—Among Wycliffe's opinions, none seem to have been considered as more heretical, and none are more heartily anathematized by Archbishop Arundell, "illustis dominus, totius Angliæ primas et sedis apostolicæ legatus," and by the Holy Fathers of that "Sacro-sancta Synodus," the Council of Constance, than his doctrines respecting Church Property. They accuse him of teaching "Quod non solum domini temporales possunt auferre bona fortunæ ab ecclesia habitualiter delinquente : non solum hoc eis licet, sed debent hoc facere sub pœna damnationis æternæ."—"Ditare clerum est contra regulas Christi."—"Imperator et domini seculares seducti sunt a Diabolo, ut ecclesiam dotarent de bonis temporalibus."—*Articuli Johannis Wiclefi Angli impugnati a Wilhelmo Wodfordo*, No. 13.—*Rationes et motiva, ac reprobationes Articulorum Wiclefi et sequacis ejus Johannis Hus in Concilio Constantiensi damnatorum*. No. 16, 32, 39.—*Fasciculus rerum Expetendarum et Fugendarum*, pp. 190, 284, 290, 293. These opinions seem to have been ascribed to Wycliffe, with somewhat more justice, than some others ; for example, what forms the sixth in the list of the Council of Constance, "Deum debere obedire Diabolo." Wycliffe's own words are, "Nos autem dicimus illis, quod nedum possunt auferre temporalia ab ecclesia habitualiter delinquente, nec solum quod illis licet hoc facere, sed quod debent sub pœna damnationis gehennæ ; cum debent de sua stultitia pœnitere, et satisfacere pro peccato quo Christi ecclesiam macularunt."—*Dialogus Wiclefi*, lib. iv. cap. 18.—*Lewis' Life of Wicliffe*, p. 396. Lond. 1720. Of this work of Wycliffe, Mr Sharon Turner says, "Its attractive merit was that it combined the new opinions with the scholastic style of thinking and deduction. It was not the mere illiterate reformer, teaching novelties, whom the man of education disdained and derided : it was the respected Academician reasoning with the ideas of the reformer."—*History*, vol. v. p. 177.

CIX.

DR DICK ON THE DUTIES OF SUBJECTS.

This concluding note contains the well considered sentiments of one of the most sound-minded theologians of his own or of any other times. No man who knew him, or who has carefully read his valuable writings, can doubt the justness of the character I have, in one word, given of his intellect,—and he must widely differ from me in his estimate of mental qualities, who considers it as niggard praise. The “*sana mens*,” in the full meaning of the word, is no common possession; and, if enjoyed “*in sano corpore*,” its possessor has nearly all of natural good that a wise man would be very anxious about. His extensive and accurate scholarship, both general and professional, his acute and perspicacious mind, his unfeigned faith, and unostentatious piety, his unbending integrity and passion for truth, in every sense of that term, any of one of these qualities as possessed by him, and still more their rare union, in the degree in which he possessed them, raised him very far above the level of ordinary good men and good ministers. Yet still were I asked what was the distinguishing character of his mind, I would say—just thinking, sound judgment—the “*sana mens*.” It was this which balanced and regulated all the other elements of his character, and made him the accomplished man and scholar, and Christian and Minister—and Professor, that all who knew him so readily admit him to have been. It is with great satisfaction that I find (for somehow or other the important passage that follows had till now escaped my notice), that my views of civil obedience so nearly harmonize with those of my venerated and lamented friend:

“The duty of subjects to their civil rulers claims our attention. It is evident that the duties of this class, like those of servants, are founded on convention or compact; because, with the exception of parents and children, between whom nature itself has established an inequality, all men possessed of reason are naturally equal in respect of personal rights, and become subject to others, either by violence, which establishes no moral obligation to submission, or by their own consent virtually or explicitly given. It is worthy of attention, that although the Scripture gives its general sanction to civil government, as necessary to the existence and good order of society, it still calls it an ordinance of man; * signifying that it is a human institution, and,

* 1 Pet. ii. 13.

consequently, that as in the government of masters, its claim to obedience is not established by force but by law. The *jus divinum* of governments, when rationally explained, can only mean that lawful governments have a right to demand the obedience of the subjects, and that it is the will of God that the subjects should submit to their authority. ‘The divine right of kings,’ says Paley, ‘like the divine right of constables, is founded on the law of the land.’

“There is a considerable difficulty in determining how far the moral obligation of submission extends, because cases may be supposed and questions may be put, with respect to which it is not easy to come to a satisfactory and consistent conclusion. In general, it may be said that no government is lawful which does not exist with the formal or virtual consent of the people. The world has been so long accustomed to look upon civil government as independent of the people, and the notion of legitimacy, as attached to a particular form and a particular family, has been so carefully instilled into their minds, that they are slowly brought to assent to what appears one of the plainest propositions, that a despotic government is a usurpation. Farther, the obedience of subjects is defined by the laws of the land. No man is morally bound to submit to the arbitrary will of an individual, because he is called a king, any more than because he is called a master, or to the will of a lawful magistrate, when he orders any thing contrary to the law of the land. The moment he steps beyond the boundary of law, he loses his official character, and becomes a private man or a tyrant. Lastly, the obedience of subjects, like that of servants, is restrained by the law of God. When civil rulers presume to command what he has forbidden, or to forbid what he has commanded, they become rebels against the King of kings, and have no claim to our homage.

“‘Let every soul be subject unto the higher powers; for there is no power but of God: the powers that be are ordained of God. Whosoever, therefore, resisteth the power, resisteth the ordinance of God; and they that resist shall receive to themselves damnation.’” These words have been understood to favour passive obedience, but, in my opinion, they have been grossly perverted. How could any man in his senses suppose that a messenger of truth would teach us to submit tamely to be plundered, and tormented, and destroyed, by persons who, with the title of royalty, were worse than common robbers and murderers; to surrender to them all that is dear to us as men, all that renders life worth preserving; to abstain from making

* Rom. xiii. 1, 2.

a single effort to secure to ourselves, and our friends, and our country, the blessings of liberty and equal laws? Is it to be supposed that the God of justice and beneficence has commissioned a few ruffians to pillage and oppress their fellow-creatures, and called upon the latter, under pain of his displeasure, to submit like lambs to the butcher's knife? No; we will make no such supposition, any more than we will suppose that he has forbidden us to use means to stop the ravages of fire, pestilence, or flood; or to employ force to restrain and punish the private ruffians, who, with a title equally good, attempt to rob us of our property or our lives. In the passage quoted, the apostle, without referring to any existing government, or any form in preference to another, lays down the general duty of Christians to their superiors in the state. They are bound to submit; but that it is not blind submission is evident from the reason assigned: 'For rulers are not a terror to the good, but to the evil.' Again, 'he is the minister of God to thee for good.'* So far, then, as a government patronises good works, and punishes such as are evil; so far as it answers the end of its institution, by maintaining order and peace in civil society, it is entitled to submission; but when, instead of protecting, it oppresses the people, we can be no more bound in conscience to recognise it as lawful, than we are to acknowledge, as a minister of Christ, the man who teaches error in doctrine, and licentiousness in practice."—*Lectures on Theology*, Lect. civ. pp. 465–467. Edin. 1838.

* Rom. xiii. 3, 4.

MINOR CORRECTIONS AND ADDITIONS

P. ix, Foot-Note, l. 5—for qui read que.

xv, l. 5, add—proceeding apparently on the principle of “boldly denying what was not understood, and prudently concealing what could not be confuted.”

xxi, after the word mind, add—(I might have added, and still more as the expounder and advocate of the civil and religious rights of mankind).

xxiv, l. 15, Foot-Note.—Ille pedum melior motu—

Hic membris et mole valens—

xxiv, l. 23, Foot-Note, insert—Some men act, as if, like the Clazomenians (who are said to have been permitted, by express decree, by the Spartans *ασχημονειν*,) they were licensed *κακηγορειν, και λοιδορειν, και βλασφημειν και προς παντα αντιλεγειν*.

xxvi, l. 5, Foot-Note, add—Who could stand before such a discharge of artillery, if the skill of the cannoner were proportioned to his hearty good will, or the weight of the shot to the loudness of the explosion?—But there is comfort in the old adage—*φωνη δ' ουδ' ενα ποποτε ανθρωπον απεκτεινε*. Werenfels' Epigram is very applicable :

“Qua ratione probet, quæris, sua dogmata Fronto?

Quemlibet hereticum, qui negat illa vocat:

Devovet hunc diris, hominemque ad Tartara damnat.

En sua quam valide dogmata Fronto probat!”

Werenfelsii Opuscula, p. 864. 4to. Basil. 1718.

xxvi. l. 14, for fifteenth read sixteenth.

xxxiii, l. 12, for their read these.

xl, l. 5 from the foot, for method read method.

xlx, Foot-Note, l. 5 from the foot.—Joseph. Antiq. Lib. xviii. 1. De Bell. Jud. Lib. v. 9.

P. 51, Note †, add—As his witty predecessor says, “According to this account, the old Romans would have been put into a worse condition by Jesus Christ, than they had been in before his coming; and to have gone from Paganism to Christianity, would have been like going down from Jeru-

salem to Jericho, falling among thieves, to be stripped of raiment, wounded, and left half dead.”—*Robinson's Occasional Sermons*, p. 35.

61, *Foot-Note*, l. 2, for Eph. read Ep.

62, l. 17, after not insert even.

62, l. 19, after state insert agriculture.

62, l. 20, addition to *Foot-Note* (S. N. ix. p. 18.)—Melanethon's illustration is of a similar kind :—“Πολιτεία est ordinatio divina, sicut vices temporum, hyems, æstas, dies, nox, et hi perpetui cursus et motus siderum, a Deo et conditi sunt, et conservantur. Ita ordinavit Deus et conservat πολιτείας in mundo, magistratus, et leges.”—*Dispositio Orationis in Epistola Pauli ad Romanos. Auctore Philippo Melanethone. Wittembergæ. Anno XXX.*

70, l. 10, for precedeing, read preceding.

72, l. 17, *Foot-Note*.—φοβος pro φοβεροι eleganter. Sic Menander apud Stobæum, Serm. 17, dicit εστι δε γυνη λεγουσα χρηστ' υπερβαλλων φοβος.—*Rosenmulleri Scholia, in N. T.* Vol. viii. p. 81. Noremb. 1804. Εργων is for Εργατων.—*Bloomfield's N. T.* Vol. ii. p. 85. Lond. 1839.

73, l. 6, after society, add—for, as Bishop Butler remarks, “the fundamental laws of all governments are virtuous ones, prohibiting treachery, injustice, and cruelty.”*

84, *Foot-Note*, l. 6 from the foot—after Plessais, insert—whom TRIGLAND terms, “vir summus et ut generis ita eruditionis ac virtutum laude nobilissimus;”—and add to the Note,—and *A Dissertation concerning the Book of Stephanus Junius Brutus. Bayle's Historical and Critical Dictionary*, Vol. v. p. 731. Lond. 1733. King James VI., by a conjecture less happy than that which led to the discovery of the gunpowder plot, thought it likely that it was the production of a disguised Papist, to throw odium on the reformers. The preponderance of evidence seems on the side of Languet, though, like the question about another Junius, better known to most readers, a considerable degree of obscurity still rests on the subject.

Hottoman, in his *Franco Gallia*, avows the free principles so eloquently stated and defended in the “Vindicke;” and Beza, in his “well-written and well-reasoned” tract *De Jure Magistratuum*, supports the same good cause. From prudential considerations, the magistrates of Geneva suppressed Beza's little work, though, in their deed of suppression, they declare, “qu'il ne contient rien que de vrai.” Seldom have “the important and delicate questions respecting the origin of civil power, its just limits, and the rights of subjects to resist its abuse,” been more ably discussed than in these *Opuscula* of Buchanan, Languet, Hottoman, and Beza.—Vide *M'Crie's Life of Melville*, Vol. i. pp. 30, and 424–426. Edin. 1819.

86, *Note* *, add—Their sentiments are very well expressed by Fructuosus, the Spanish Bishop, in his reply to Æmilianus, the Roman Prefect :

* Butler's Sermons on Public Occasions. Ser. 111. p. 62.

" Judex Æmilianus imminebat
 Atrox, turbidus, insolens, profanus,
 Aras dæmonicas coli jubebat.
 Tu qui doctor, ait seris novellum
 Commenti genus ut leves puellæ
 Lucos destituant, Jovem relinquant.
 Damnes si sapias anile dogma :
 Jussum est Caesaris ore Gallieni
 Quod princeps colit, hoc colamus omnes.
 Hæc fanti placidus refert sacerdos
 Æternum colo Principem Dierum
 Factorem, Dominumque Gallieni.
 Et Christum Patre prosatum perenni
 Cujus sum famulus gregisque pastor."

*Prudentii Hymnus Beatissimorum Martyrum Fructuosi
 Episcopi Ecclesie Tarraconis et Augurii et Eulogii
 diaconorum. Opera, fol. 141. Antv. 1540.*

106, l. 2, *from the foot*, add—"Such a kind of suffering," says Archbishop Usher, "is as sure a sign of submission as any thing else whatsoever." *

115, *Foot-Note*, l. 6 *from the foot*, after MORE, add "One of the most philosophical of our learned elder divines," as COLERIDGE justly characterises him.

123, l. 15, *addition to Foot-Note* (S. N. xxiv. p. 27.)—Melancthon's remark on this word is well worth transcribing: "Apud Strabonem video *φορον* appellari certum reditum ex possessionibus qui pendit[ur] magistratibus; *τελος* autem vectigal, seu tributum superindictum, ac videtur Paulus ordinaria et extraordinaria onera voluisse complecti."—*Disp. Or. in Ep. Pauli ad Rom.*

140, *Foot-Note*, l. 10 *from the foot*, for *esmiendum* read *esuriendum*.

143, *Foot-Note*, l. 1, for *di* read *de*.

149, *Foot-Note*, *prefix these words*, "If no way of defending our Establishment can be devised, which would not, if fairly applied, defend the establishment of Popery, of Mohammedanism, or Pagan idolatry, by the authority of kings and rulers, I must acknowledge the cause to be desperate; yet, if it be," &c.

150, *Foot-Note*, l. 7, *dele the words* treatise "On the Evil of Separation,"—quoted by Conder, in his judicious work on non-conformity, and *insert*—Letter to the Rev. PETER ROE, published in a series of letters by clergymen, on "*The Evil of Separation from the Church of England*," p. 16. Lond. 1817. MILNER, the ecclesiastical historian, concurs with his venerable friend in opinion: "Suppose the civil magistrate," says he, "should have happened to have formed an erroneous judgment concerning the true religion, will he not, in that case, according to the principle of general expediency, be justified in establishing a false one?—Nothing can justify the magistrate in establishing a false religion."—*Milner's History of the Church of Christ*, Cent. iv. Chap. xvii.

150, l. 9, for *principles*, read *principle*.

* Power of the Prince and Obedience of the Subject, p. 150.

153, *Foot-Note*, l. 4, *add* Tacit. Hist. Lib. iv. Cap. 74.

155, *add to Foot-Note* *.—Mankind are much the same in all ages. A Dutch divine, about the middle of the century before the last, expounding the precept, remarks, “Conscientiam ledunt qui hic deficiunt, qui partem, qui totum defraudant, *et hoc ingenii putant.*”—*Altingii Conciones in Cap. xiii. Epist. ad Rom. Conc. ix. Opera*, Tom. iv. p. 111.

159, l. 17, *for* paid.” *read* paid.

171, *add to Foot-Note* *.—So true is it, that “an Establishment is indeed a merely political institution, a thing of this world, but it is a political institution about religion, and professedly about the religion of Christ.”—*Walker's Essays and Correspondence*, Vol. i. p. 210.

173, l. 5 *from the foot*, *for* the name, *read* name.

200, *Foot-Note*, l. 4, *after* be *insert* peremptory.

205, *Foot-Note*, l. 8, *after* productions, *insert* “A man,” as the biographer of MARVELL terms him, “without virtue or honour, and a divine without religion.”

247, l. 10, *for* pœnæ *read* pœnæ.

259, *Add as a Foot-Note to* l. 8.—It is shrewdly remarked by Emlyn, “when once Christ’s kingdom became of this world, then did his servants fight heartily for it.”—*Tracts*, Vol. i. p. cxxxviii.

279, l. 41, *after* NEDHAM, *add* author of *Mercurius Politicus*, whom Wood, in his “*Athenæ Oxonienses*,” terms “a great crony of JOHN MILTON,” and whom Eachard couples with MARVELL, calling them “pestilent wits.”

323, l. 11, *for* 1654, *read* 1644.

338, *Foot-Note*, l. 2 *from the foot*, *for* unauthorized *read* authorized.

350, l. 23, *dele* Gaulon, and *insert* Gaulonitis, the district in which—and, *after* Judas’ city,—*add* Gamala was situated,

355, l. 16, *after* (whom *insert*—JORTIN terms “a man of learning, a Bishop and a Father of the Church, of whom MARVELL says,” than whom the Christian church had not in these times (and I question whether in any succeeding), a Bishop that was more a Christian, more a gentleman, better appointed in all sorts of learning requisite, seasoned under Julian’s persecutions, and exemplary to the highest pitch of true religion and practical piety,”* and whom GIBBON, &c.

372, l. 8, *after* has it, *add*—so that Lord CLARENDON’S remark about the clergy of his time, seems equally true of their successors of our age,—“of all persons who can read and write, the clergy are the most innocent of any practical wisdom or common sense.”

388, l. 23, *after* toleration, *insert*—The testimony of the King of Martyrs concerning his Kingdom, illustrated by JOHN GLAS.

389, l. 1, *after* Establishments, *add*—National Church Establishments examined.

* Marvell’s Historical Essay concerning General Councils. Works, vol. iii. p. 166. Lond. 1776.

389, l. 22, *insert*—Grotius de imperio summarum potestatum circa sacra.

— l. 23, *after* Polity, *insert*—Dissertatio Theologica de Civili et Ecclesiastica potestate JACOBO TRIGLANDIO, Autore.

— l. 27.—Balguy on Church Authority.

— l. 35, *after* Churches, *insert*—The State in its Relations with the Church, by W. E. GLADSTONE, Esq.

390, l. 21, *after* c. xi. *insert*—Statements indeed abound in many of their productions, the proper designation of which it may be as well to “slur beneath well-sounding Greek,” ψευδη χειροδεκτα. Calvin’s Latin is equally expressive, “pura puta mendacia.”

391, l. 4 *from the foot*, for statesmen, *read* statesman.

438, l. 15, *after* men, *insert*—by Wycliffe and More.

502, l. 4, for deaconries, *read* deaneries.

503, l. 22, *after* Virginia, *add* drawn up, we believe, by JEFFERSON.

519, l. 12, *dele* which our country has produced, *and read* who has appeared among us.

519, l. 13, *after* CAMERON, *add*—whom Bishop HALL styles “the most learned man Scotland ever produced.”

523, *Foot-Note to line 11*, magniloquent.—“Vir eloquentissimus est, ambitiosæ tamen magis quam castigatæ facundie: nam multum luxuriat ejus oratio.”—SCALIGER *de Maffeo. Epistolæ*, Ep. cccxlix, p. 853. Lugd. 1627.

229, l. 5 *from the foot*, *insert as a Foot-Note*.—“Parco nominibus viventium: veniet eorum laudi suum tempus: ad posteros enim durabit virtus, non pervenit invidia.”—*Quintillian*, Lib. iii. Cap. i.

Addendum to Note L. p. 50.—Locke’s paraphrase on the last clause of Rom. xiii. 2, is, “They that resist shall be punished by those powers that they resist.”—*Works*, V. iii. p. 327.

Addendum to Note LVII. to be inserted p. 55, Supplementary Notes, l. 14, after Tyburn.—“When,” in the ceremony of degradation, “they came to the formality of putting a Bible in his hand, and taking it from him again, he was much affected, and parted with it with difficulty, kissing it, and saying with tears, that they could not, however, deprive him of the use and benefit of that sacred depositum. It happened that they were guilty of an omission in not stripping him of his cassock; which, as slight a particular as it might seem, rendered his degradation imperfect, and afterwards saved him his benefice.”—*Howell’s State Trials*, No. 352, 2 *James II.*, Vol. xi. Col. 1351.

Addendum to the Title of No. LXXXII. p. 88.—TO DEBASE AND CORRUPT CHRISTIANITY.

POSTSCRIPT.

CX.

DR WARDLAW ON THE LEGITIMATE PROVINCE OF THE CIVIL
MAGISTRATE IN REGARD TO RELIGION.

"More last words of Richard Baxter!"—Just as the last sheet of these Supplementary Notes was leaving the press, Dr Wardlaw's "Lectures on National Church Establishments," delivered in London during the last and present month, reached this city; and I am unwilling to let this collection of precious fragments go forth without enriching it with a valuable quotation, from that very valuable work, corroborative of the views maintained in "The Law of Christ respecting Civil Obedience;" and joining my voice to the loud acclaim of affectionate grateful congratulation, with which its accomplished author will assuredly be greeted by the enlightened and liberal part of the christian public, on the prosperous conclusion of his important and delicate undertaking. Dr Chalmers, as we have already seen, has, on various occasions, done good service to the cause of Voluntaryism, and certainly never more than in becoming the occasion of the delivery and publication of these lectures, which, as to matter and manner, are worthy of their subject and their author. In characterising a most amiable churchman (the Rev. Baptist Wriothsley Noel), Dr Wardlaw has unconsciously drawn his own picture, as he appears in this work, though, even after it is held up to him, we should not wonder, if, like Mr Newton's C., he did not recognize what to all who know him, will appear the striking likeness.* "To the faithfulness of a devoted minister of Christ, and the elegance of a classically accomplished and richly furnished mind, he unites all the loveliness of christian charity, and all the courtesy of gentlemanly candour."

* Few readers of Mr Newton's works have forgotten the three beautiful sketches in Omicron's Letters, entitled, A. Grace in the Blade; B. Grace in the Ear; and C. Grace in the Full Corn. A person wrote Mr Newton, thanking him for describing so accurately his (the correspondent's) character in C. Mr Newton, in his reply, stated, that he had neglected to notice one of C.'s characteristic traits:—He never knew his own picture.

“ What is the legitimate province of the civil magistrate in regard to religion ? And here again, our question is—‘ What saith the Scripture ? ’ There is much there, sometimes, comprised in few words. We have the general order of our divine Master in a single emphatic sentence—‘ Render unto Cæsar the things which are Cæsar’s ; and unto God the things which are God’s.’ We are not to imagine any thing so inconsistent with the uncompromising truth, the perfect sunlight simplicity of that Master’s character, as that in these words he gave an evasive answer to an insidious question,—that he thus met guile with guile, and foiled the dissemblers with a weapon of their own. He meant what he said. And what he said expresses a plain distinction. The distinction manifestly is, between things *civil* and things *sacred*,—the rights of earthly governors, and the rights of the divine. The words were addressed to Jews. Those Jews were under the obligations of their own law :—and if their paying tribute to Cæsar had, in any way, been incompatible with the obedience they owed to God, they could not have been permitted, far less enjoined, to pay it. God, in his providence, had brought them under the yoke of Rome ; and Jesus teaches them, that what was exacted, by those who had the mastery over them, for the support of the imperial government, it was no infraction of their higher allegiance to pay. The payment was not a *religious act*. Had it been so, it would have been a rendering to Cæsar of the things that were God’s. Under their own theocracy, there was, properly speaking, no distinction between these. God and Cæsar were one. Jehovah was both,—the Divine Head at once of their ecclesiastical constitution and of their civil government. Under this peculiar economy, what pertained to the one pertained to the other. But when the words are applied to Christians, the case is different. We are under no theocracy. There is no such identity now in the object to whom we render our civil and our religious homage. The distinction, however, remains between the two descriptions of debts and duties. We are still subjects of God, or of Christ,—and subjects of Cæsar. How, then, are we now to distinguish between what we owe to the one, and what we owe to the other ? Are we not to regard *religious* debts and duties as what we are to render to the one, and *civil* debts and duties as what we are to render to the other ? There is a distinction,—a distinction which, generally speaking, is sufficiently well understood, between things civil and things sacred,—between the duties of the first and those of the second table of the law. If, in some points, difficulty be experienced in tracing with precision the line of demarcation between them, it may be a question deserving consideration, how far such difficulty may not, wholly or in part, find its cause in the very habits of thought,—so inveterate, and consequently so hard of segregation into their respective elements,—which have been engendered by their unnatural intermixture. The very designation of a *civil magistrate* ought to be understood as defining his official functions, and limiting them to the civil department. When he comes

upon religious ground, he steps beyond his province. All that is properly religious lies between God and the conscience. No human authority is entitled to interfere with it. If, while we are, conscientiously and cheerfully, 'rendering unto Cæsar the things that are Cæsar's,' Cæsar should overstep the limit of his commission, and demand of us, in one jot or tittle, 'the things that are God's;'—in such a case, disobeying Cæsar is not disobeying the God who has enjoined submission to Cæsar; because, in going beyond his legitimate boundary, Cæsar himself is the transgressor;—he has interfered with what did not belong to him; he has presumptuously intruded into the province of the King of kings:—and if *he* transgresses in commanding, it can never follow that *we* should sanction and share his transgression by obeying.

"It is a most important principle on the present subject, that the *right of rulers to enact* must be coincident in extent with the *obligation of subjects to obey*. Religion is a matter in which no man can be under obligation to obey a fellow-man; and for this reason, it is a matter in which no man can have a right to enact for a fellow-man. The right cannot go beyond the obligation. If it could, there would be two obligations imposed on the unfortunate subject of Cæsar and of God,—by both of which he is bound, and yet both of which, contradictory as they are of each other, it is impossible for him to fulfil! The authority of civil rulers, moreover, involves the power of *coercion*,—that is, of *compulsion by penalty*. The sword is the only instrument of that power; and, to the extent to which the power legitimately reaches, the sword must not be borne in vain. But religion admits not of coercion. The two terms can never be made to comport. The one belongs to heaven, the other to earth; and they are, in their natures, as far asunder. They mutually neutralize and destroy each other. Where coercion begins, religion ends. All compulsion here is impiety,—a profane and presumptuous usurpation of the paramount rights of Deity,—an overt act of treason against the Supreme Ruler,—an attempt to force one of *his* subjects to withdraw his allegiance from Him, and to give it to another—to a creature, to a dependant! Were some underling of a mighty prince to claim for himself, and threaten to exact by severe penalties, the homage which the laws appropriate to the prince himself, he would be chargeable with a presumption less flagrant, even by infinitude, than that of which the prince is guilty, in compelling obedience to his enactments on the part of those who, in their consciences, regard such obedience as involving in it the 'rendering to Cæsar the things that are God's'—the abstraction, for the honour of a human master, of what is due exclusively to the Divine. The civil magistrate can have no power in religion; because the power which belongs to him is, in its very nature, coercive,—and in religion such power is inconsistent with *its* very nature, and incapable of being exercised.

"I know not a more admirable principle than that which is laid down by

an acute and philosophical, as well as pious writer, in the present controversy—Coventry Dick, Esq. in his Dissertation on Church Polity :—‘ Here we may pause for a moment, to learn how we may best fulfil the meaning of poets, philosophers, and jurists, when they warn us to lay the foundation of civil society in an acknowledgment of Divine Providence. It is by owning first all the rights of Providence. Observing that it has framed man a religious being, and, in that department of his nature, subjected him to no intermediate superior, but directly to God, we are taught, neither to prescribe, nor limit, nor enforce the inward or outward homage to which that subjection calls him. The state which, acting upon this lesson, anxiously provides for freedom of worship, and sensitively withdraws its rulers from the province of conscience, is of all states the most holy and religious ; presents in its laws a perpetual homage to Divine Providence ; and may be truly said to have laid its foundations in an act of worship.’* This is at once the true philosophy, and the true theology, of the case. The sentiment is as beautiful as it is scriptural and just. The most truly religious thing a state can do, is devoutly to acknowledge the exclusive appropriation of all religious duties to God, and scrupulously to abstain from all interference.”—*Wardlaw’s National Church Establishments Examined, Lect. IV.* pp. 185–190. Lond. 1839.

* Pp. 16, 17.

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